



TOWN OF LAUDERDALE-BY-THE-SEA

AGENDA ITEM REQUEST FORM

Development Services

Department Submitting Request

[Signature]
Dept Head's Signature

<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>	<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>	<u>Commission Meeting Dates</u>	<u>Last date to turn in to Town Clerk's Office</u>
<input type="checkbox"/> Nov 10, 2009	Oct. 30 (5:00 p.m.)	<input type="checkbox"/> Jan 26, 2010	Jan 15 (5:00 p.m.)	<input type="checkbox"/> March 23, 2010	Mar 12 (5:00 p.m.)
<input type="checkbox"/> Dec 1, 2009	Nov 20 (5:00 p.m.)	<input type="checkbox"/> Feb 9, 2010	Jan 29 (5:00 p.m.)	<input type="checkbox"/> April 13, 2010	April 2 (5:00p.m.)
<input type="checkbox"/> Dec 8, 2009	Nov 25 (5:00 p.m.)	<input type="checkbox"/> Feb 23, 2010	Feb 12 (5:00 p.m.)	<input checked="" type="checkbox"/> April 27, 2010	April 16 (5:00p.m.)
<input type="checkbox"/> Jan 12, 2010	Dec 31 (5:00 p.m.)	<input type="checkbox"/> Mar 4, 2010	Feb 19 (5:00p.m.)	<input type="checkbox"/> May 11, 2010	April 30 (5:00p.m.)

NATURE OF AGENDA ITEM

- | | | |
|--|---|--|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Resolution | <input type="checkbox"/> New Business |
| <input checked="" type="checkbox"/> Report | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Manager's Report |
| <input type="checkbox"/> Consent Agenda | <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Attorney's Report |
| <input type="checkbox"/> Bids | <input type="checkbox"/> Old Business | <input type="checkbox"/> Other |

EXPLANATION: Development Services Monthly Report for March 2010.

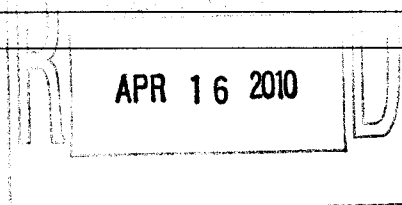
STAFF RECOMMENDATION: N/A

BOARD/COMMITTEE RECOMMENDATION: N/A

FISCAL IMPACT AND APPROPRIATION OF FUNDS: N/A

- | | |
|---|--|
| <input type="checkbox"/> Amount \$ _____ | <input type="checkbox"/> Acct # _____ |
| <input type="checkbox"/> Transfer of funds required | <input type="checkbox"/> From Acct # _____ |
| <input type="checkbox"/> Bid | <input type="checkbox"/> Grant <input type="checkbox"/> Amount represents matching funds |

Town Attorney review required
☐ Yes ☒ No



Town Manager's Initials: *[Signature]*

Month of March Monthly Report

	1st Week 1st-5th	2nd Week 6th-12th	3rd Week 13th-19th	4th Week 20th-26th	5th Week 27th-31st	Total
Visitors	151	125	131	154	83	644
Informational Calls Received	268	278	295	346	145	1332
Verbal Warnings	5	4	6	3	2	20
Notices of Violation	5	25	8	31	6	75
Courtesy Notices	34	11	31	31	0	107
Citations Issued	0	1	0	0	0	1
Special Master Cases	0	0	20	0	0	20
Complaints Investigated	6	7	8	7	5	33
Re-inspections conducted	37	35	53	65	22	212
Lien Searches	5	9	3	2	4	23
Courtesy Letters Issued	0	0	0	0	0	0
Public Records Requests	1	0	0	0	0	1
Business Tax License Inspections	1	0	1	0	4	6
Fire - Permit Inspections						4
Fire - Apps + Resubmittals						8
Final Zoning Inspections	3	0	3	5	3	14
Zoning Reviews	26	18	16	27	4	91
Building Permits Issued	7	6	8	16	8	45
Permit Applications Submitted						80

Projects and Accomplishments

Notices of Violations Issued:

Number	List	Type
1	One (1) Violation(s)	Sidewalk Obstruction
2	Three (3) Violation(s)	Vehicle Expired Tag
3	Three (3) Violation(s)	Sign Violation
4	One (1) Violation(s)	No permits - Dock
5	Six (6) Violation(s)	Maintenance of Exterior
6	One (1) Violation(s)	Non-permitted Use
7	One (1) Violation(s)	No Permits - Electric
8	Four (4) Violation(s)	Trash / Debris

9	Three (3) Violation(s)	No Vacation rental Permit
10	Thirty-Five (35) Violation(s)	No trash service
11	One (1) Violation(s)	Dead Flora on Property
12	One (1) Violation(s)	Illegally placed trash Container
13	Three (3) Violation(s)	Overgrown Yard
14	Seven (7) Violation(s)	No Business Tax License
15	One (1) Violation(s)	Trash Container Maintenance
16	One (1) Violation(s)	Construction Site Maintenance
17	One (1) Violation(s)	Pool Maintenance

- 1) Staff completed the monthly report for February.
- 2) Staff performs weekly maintenance checks on the Citizen Services and Business Tax programs.
- 3) Staff performs morning and afternoon routine patrols. These are conducted to monitor activities, such as: construction sites, unlicensed contractors, noise ordinance violations, beach furniture, and illegal signage.
- 4) Staff entered daily data into the Citizen Services (Code Enforcement) program.
- 5) Staff enters daily data into the Business Tax Receipt program.
- 6) Staff returned telephone calls and completed paperwork daily.
- 7) Staff performed maintenance checks on vehicles.
- 8) Staff routinely checks all portals, the beach, and pavilion for any violations. (I.e. boats or dogs on the beach, fishing from the beach, soliciting, littering, and alcohol on the beach.)
- 9) Staff processed all incoming mail and correspondence.
- 10) Staff processed department invoices.
- 11) Staff greeted all walk-ins to determine nature of business and type of customer service needed.
- 12) Staff processed incoming Business Tax Receipt payments.
- 13) Staff processed all Notices of Violation case files.
- 14) Staff reviewed Code Hearing minutes from February and completed a March Code Hearing agenda. Staff attended the March Code Enforcement Hearing; Staff performed pre / post hearing inspections; Staff prepared and presented Twenty (20) cases; Staff prepared; processed; transcribed; reviewed; drafted and proofread the Twenty (20) final orders and minutes. Staff entered the Final orders into the C.S. Program and sent certified mailing for the approved and signed final orders. Staff prepared cases for the upcoming April code hearings.
- 15) Staff processed, inspected and approved One (1) temporary sign permit.
- 16) Staff processed, inspected and approved Nine (9) Business Tax Receipt applications and licenses.
- 17) Staff removed Four (4) illegal signs throughout Town.
- 18) Staff researched Three (3) properties to provide zoning permitting information for possibilities of new businesses.
- 19) Staff processed, inspected and approved One (1) tree removal / relocation permit.

-)Staff processed, inspected and approved (3) garage sale permit.
- 20) Staff inspected and issued nine (9) permits for approved Special Events.
 - 21) Staff reviewed and provided comments for Seven (7) special events applications.
 - 22) Staff notified board members by phone, e-mail and regular mail of the March 17th BOA and P & Z hearing cancellations.
 - 23) Staff assisted Census representative with reserving space for Jarvis Hall.
 - 24) Staff processed a request from a resident for a property survey. They were referred to Broward County records.
 - 25) Staff prepared public notices for the cancellations of BOA and P& Z hearings for Town Hall.
 - 26) Staff referred a resident to Municipal Service who want to complete community service hours.
 - 27) Staff assisted a resident with information and provided the ordinance for boat and trailer storage.
 - 28) Staff assisted a resident with obtaining the floor plan of a property.
 - 29) Staff provided a customer with information on obtaining a new Business Tax Receipt for a restaurant.
 - 30) Staff processed one (1) public records request and forwarded it to the Town Clerk.
 - 31) Staff assisted Sea Ranch Lakes Police with locating a property owner regarding a fence that separates the adjacent property from Sea Ranch Lakes.
 - 32) Staff prepared documentation of Right of Way Permit films for storage.
 - 33) Staff provided a resident with zoning district information for a property.
 - 34) Staff prepared closed site plan and variance files for scanning.
 - 35) Staff provided bus route information for the Pelican Hopper for the Craft Show.
 - 36) Staff received a complaint from a resident for political signs at A1A and Commercial, staff explained the signs had to be removed within 7 days of the election.
 - 37) Staff notarized Two (2) applications for liquor licenses.
 - 38) Staff disbursed updated Town Code books to personnel.
 - 39) Staff provided information to a new business owner taking over an existing café business license.
 - 40) Staff assisted a motel owner trying to locate a broken water line on the property.
 - 41) Staff provided plans for the trailer to the individuals that will be receiving it.
 - 42) Staff assisted a new property owner with the transfer of a Business Tax Receipt for a rental property.
 - 43) Staff assisted finance in researching an account to justify an amount being charged by a vendor.
 - 44) Staff assisted a resident in reviewing an old site plan for a condominium complex.
 - 45) Staff assisted a resident with information on resuming trash service with Choice.
 - 46) Staff assisted a property owner with changing the Business Tax Receipt to reflect new ownership.
 - 47) Staff assisted a resident with determining the flood zone for a property.
 - 48) Staff processed a request for information regarding NOVA's turtle lighting report. Not available yet.
 - 49) Staff processed a complaint form for a resident that tripped at Jarvis Hall and forwarded it to public works.
 - 50) Staff provided current zoning map for customer.
 - 51) Staff assisted architect with locating year built for a residence in Bel Air. Staff advised street name

change to locate on Property Appraisers website.

52) Staff assisted an architect with locating as-builds in our property files for a motel in Town.

53) Staff processed three (3) Vacation Rental applications; assigned permit #; set up file; processed payments.

54) Staff processed a Tree Removal/Relocation application.

55) Staff processed a service order form for a/c repair for Dev Svcs.

56) Staff sent letter to new owner of building on Commercial Blvd to complete new Hold Harmless agreement for awnings that encroach over the sidewalk and provide certificate of insurance reflecting the Town as an additional insured.

57) Staff processed a request for copies of a plan set for a property on El Mar Dr; collected deposit, and called company for pickup.

58) Staff processed a citizen contact form for a resident reporting a large sink hole at the end of 19th St in Bel-Air. Referred to Public Works.

59) Staff researching information regarding certification requirements for the mechanic at the gas station.

60) Staff recorded four (4) liens on a property at Broward County and updated the lien spreadsheet.

61) Staff made one last attempt to contact eleven (11) property owners who had not yet connected to the sewer system, in an ongoing effort to achieve compliance prior to the March 17th Magistrate certification of lien hearing.

62) Staff performed four (4) evening sea turtle lighting inspection for eight (8) properties.

63) Staff performed a town wide evening sea turtle inspection and noted violations.

64) Staff opened forty-six (46) cases and issued Notices of Violation to property owners not in compliance with the Towns lighting Ordinances.

65) Staff assisted with inquiries related to sea turtle lighting violations and provided options on how to gain compliance.

66) Staff met with a new property owner to review violations, tree removal, and demolition.

67) Staff researched contact information for five (5) insurance companies with past due business tax licenses. Companies were advised and payments were posted.

68) Staff reviewed the final requirements with six (6) special event sponsors for upcoming events and updated the special event spreadsheet.

69) .

70) Staff completed the February stop service list from Choice. Thirty-seven (37) courtesy notices were issued to individual property owners for no trash service. Notices of violation were issued to twenty-one (21) owners who did not comply.

71) Staff completed the March stop service list from Choice. Fifty-six (56) courtesy notices were issued to individual property owners for no trash service. Notices of violation were issued to eighteen (18) owners who did not comply. Staff inspected seven (7) properties to verify they were vacant and did not need service.

72) Staff verified a property address for the Oakland Park Post Office. The property was using two different address numbers and staff verified the correct one with the owner.

- 73) Staff reviewed the files and prepared the permits for the weekend special events. Staff reviewed the final requirements needed with the owners before approval could be granted and permits issued.**
- 74) Staff issued Courtesy Notices for sign violations in the RM-25 zoning district. Signs were removed.**
- 75) Staff met with the developer on Shore Court and Fort Lauderdale Water Department regarding a violation. Developer did not comply and the case went before the Magistrate.**
- 76) Staff provided detailed information to a property owner regarding trash service requirements, provider information, and the requirements for temporary discontinuance of service.**
- 77) Staff contacting the remaining businesses whose Business Tax had expired. All paid.**
- 78) Staff requested and received current surveys from the State for outside alcohol service areas for restaurants in an effort to update our files.**
- 79) Staff reviewed and approved three (3) applications for temporary alcohol licenses for special events.**
- 80) Staff inspected a property to verify the address and unit numbers for the Oakland Park Post Office.**
- 81) Staff met with Broward County's GIS manager who assisted us in updating our system.**
- 82) Staff advised a property owner of expired permits and how to work with Broward County to close them.**
- 83) Staff, along with the Fire Marshal conducted re-inspections on a property for compliance with violations.**
- 84) Staff researched information on Federal ADA guidelines for Service Animals. Filed information for future reference.**
- 85) Staff met with a property owner to discuss violations and options for compliance.**
- 86) Staff met with a business owner regarding a time extension request for violations. Extension granted.**
- 87) Staff met at a property to discuss permitting requirement to a property owner regarding work to a sewer line without permits.**
- 88) Staff met with a property owner regarding drainage issues.**
- 89) Staff prepared a letter for Clear Wire acknowledging the approval of their Special Acception.**
- 90) Staff sent a correspondence to AT&T to secure their work site on Washingtonia.**
- 91) Staff assisted a property owner with reviewing his property file so he could locate the water lines on his property in an effort to find a water leak.**
- 92) Staff completed street name changes with the Post Office, Property Appraiser, and E911 for Bel-Air**
- 93) Staff attended the monthly FABTO (Florida Assoc of Business Tax Officials) meeting.**
- 94) Staff attended the Florida Stormwater, Erosion, and Sedimentation Control Inspector Training and Certification Program.**
- 95) Staff attended the Broward County Mitigation Symposium 2010**
- 96) Staff reviewed a minor site plan modification request.**
- 97) Staff met with the Fire Chief and Fire Marshal. (Monthly Meeting)**
- 98) Staff met with Board members of a condo to discuss accessory structures and their setbacks.**
- 99) Staff met with Chen and Assoc. to provide input on the Town Storm Water Masterplan study they are working on for the Town.**
- 100) Staff met with a property owner and his engineer to finalize drainage options.**

- 101)** Staff met with a hotel owner to discuss property improvement options.
- 102)** Staff met with two (2) individuals to discuss uses at a hotel and zoning regulations for a few parcels in the B-1 zoning district.
- 103)** Staff inspected three properties for past due Business Tax Receipts and verified they were vacant.
- 104)** Staff spoke with two residents regarding violations and granted time extensions.
- 105)** Staff attended a GCACE meeting
- 106)** Staff researched cancelled special events for parking refund.
- 107)** Staff spoke to and advised three residents regarding notices of violations.
- 108)** Staff advised resident of dates for bulk pick up
- 109)** Staff met with a property owner regarding a Notice of Violation for failing to obtain a Business Tax Receipt for the rental of a home. Owner was advised how to comply and obtained the license.
- 110)** Staff inspected a business requesting information on the proper placement of a flag. Staff provided the owner with options that would not obstruct the public right of way.
- 109)** Staff investigated complaints for:
Political signs posted 7 days after an election. Staff issued a Courtesy Notice and advised the owner. Signs were removed.

Broken closet shelves. Inspected apartment and advised complainant a code violation was not found. Advised owner to contact landlord to have shelves repaired.

A residence with a hole in the roof that is infested with bees. Complaint was unfounded.

A property being rented with-out a business tax license. Owner was advised and issued a notice of violation.

A rental property with trash and junk scattered about. Inspected area and complaint was unfounded.

Flyers advertising the sale of a condominium posted on newsracks around Town. Advised and issued a verbal warning to the condo owner. Flyers were removed.

A business not maintaining the exterior. Advised manager and issued Notices of Violation for not maintaining the grass, grease traps and unpermitted use of storage.

A vacant lot being used as a staging area for construction. Lot was inspected and complaint was unfounded.

A large political sign posted on the side of a building. A verbal warning was issued to the building owner and the individual that post the sign. Sign was removed.

The use of a bull horn for political advertisement. Owner of business was advised of the violation and ceased use of the bull horn.

A business playing loud music after 11 p.m. Owner of property and manager of business were issued a verbal warning.

A condominium complex allowing a unlicensed contractor to perform work with-out permits, illegal placement of trash containers, commercial vehicles and outside storage for owners. All complaints were unfounded.

A peddler selling roses in Pelican Square. Observed peddler and advised of violation. Citation issued.

Political signs and papers scattered about a the yard of a residence. Complaint was unfounded.

Pavers installed with-out a permit. Permit is awaiting payment. Advised contractor. Permit was picked up and posted at job site.

Drains being replaced in the driveway with-out a permit. Permit was issued and posted at site.
Complaint Unfounded.

Footers not being inspected and installed to code. Inspections were done and passed by Broward County.
Complaint Unfounded and the complainant advised.

A barking dog. A courtesy notice was posted advising the owner of the complaint and requesting contact.

An overgrown yard. Yard was cut and complied before investigation was made. Complainant advised.

Noise from a restaurant having the grease trap cleaned at 1 a.m. Restaurant manager advised of complaint and issued a verbal warning.

A individual walking with a sign advertising happy hour. Restaurant manager and property owner were advised of violation and were issued a verbal warning. The individual ceased solicitation.

Trash not being picked up at a residence. Advised complainant a case had already been opened on the property and it was being monitored for compliance.

A trash can left on the sidewalk after a special event. Trash can was removed. Complainant advised.

A dog on the beach every day. Research was done for Federally protected Service Dogs and qualifications of such. This dog did not meet the qualifications and was not a protected service dog. Both the owner and condominium manager were advised and given a copy of the Town Ordinance.

A prayer service being held at a residence and trash left on property. Tenant was advised to remove the trash. The tenant was advised to cease church services as it is not a permitted use in the residential zoning district.

Two (2) businesses not maintaining the rear exterior premise. One business has 3 cases already opened for violations. Second business is being monitored.

A condominium owner doing work without permits. No work was observed. Complaint was unfounded.

A hotel doing work without permits. The work that was done did not require permits to be obtained. Complaint was unfounded.

A vacant lot with an unmaintained perimeter wall and fence. The owners surrounding the vacant lot were advised and issued Notices of Violation for maintaining the wall and fence around their properties. Reinspections for compliance have been scheduled.

Three (3) properties that are eyesores to the community. One property was being maintained and prepared for demolition. No violations were found. The second was issued a Notice of Violation for overgrown grass and the third property was advised and issued a Notice of Violation for loose screening around the construction fence. The complainant was advised of the status of the properties.

Code Enforcement Liens to be recorded:

Attached

1615 SE 19 Ave	150.00
1960 E. Terra Mar Dr	11,750.00
1749 SE 19 Ave	19,800.00
1660 SE 21 Ave	19,800.00
1955 SE 19 Ave	19,800.00
1937 SE 17 Ct	19,800.00
2049 SE 17 Ct	19,800.00
1724 SE 21 Ave	19,800.00
2011 SE 19 St	19,800.00
2062 SE 17 Ct	19,800.00

1911 SE 19 Ave	19,800.00
1931 SE 18 St	19,800.00

Minor Site Plan Modification Approvals:

No approvals for the first Quarter.

Sea Turtle Season 2010* Current Summary Report of Activities:

Attached

Code Enforcement Liens to be Recorded

**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
CODE COMPLIANCE SPECIAL MAGISTRATE**

CASE NUMBER: 09-KP-00685

TOWN OF LAUDERDALE BY THE SEA,
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

**DYANE BREITBERG
1931 S.E. 18th Street
Lauderdale-By-The-Sea, FL 33062**

RESPONDENT

FINAL ORDER

HEARING DATE: August 5, 2009

VIOLATION(S): Failure to connect to the sanitary Sewer System.

CODE SECTION: 20-16

An Administrative hearing was held before the Special Magistrate on August 5, 2009. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at:
1931 S.E. 18th Street, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number (Property I.D.): 9307-04-0130

At the hearing held on this matter on August 5, 2009 the Petitioner Town presented testimony by Code Compliance Officer Parker concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Town Ordinance Section 20-16. Officer Parker presented backup material pertaining to the sanitary sewer system that was entered into evidence as Town's Composite Exhibit A through E. Officer Parker cited the property on June 4, 2009 with a compliance date of July 5, 2009 for failing to connect to the sanitary sewer system. Officer Parker said that the re-inspection that was done via the Broward County Building Code Services web-site indicated that a permit application had not been submitted for the sanitary sewer hook-up. The Respondent was not present at the hearing.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 20-16.

F

DYANE BREITBERG
CASE NUMBER: 09-KP-00685

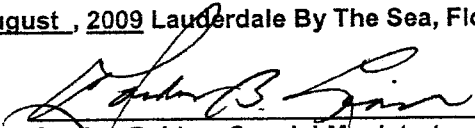
IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.

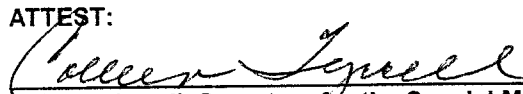
THE SPECIAL MAGISTRATE ORDERS THAT THE RESPONDENT BE GIVEN NINETY (90) DAYS FROM THE HEARING DATE TO BRING THE VIOLATION INTO COMPLIANCE. FAILURE TO ABATE THE VIOLATION WITHIN THE NINETY (90) DAY TIMEFRAME, A ONE HUNDRED FIFTY (\$150.00) DOLLAR FINE PER DAY WOULD COMMENCE. THE MAGISTRATE ALSO IMPOSED A ONE HUNDRED FIFTY (\$150.00) DOLLAR ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 5TH day of August, 2009 Lauderdale By The Sea, Florida.


Gordon B. Linn, Special Magistrate

ATTEST:


Colleen Tyrrell, Secretary for the Special Magistrate

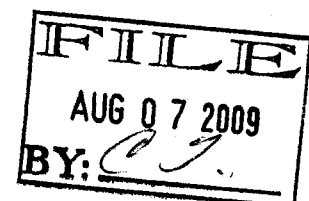
Cc to: N/A

Note: Please make your check payable to:

Town of Lauderdale-By-The-Sea

Please send your check to:

4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
4501 N. OCEAN DRIVE
Lauderdale-By-The-Sea, Florida 33308**

**BEFORE THE SPECIAL MAGISTRATE
ORDER IMPOSING FINE/CERTIFICATE OF LIEN**

TOWN OF LAUDERDALE-BY-THE-SEA,

Petitioner

v.

Case No. 09-KP-00685

**DIANE BREITBERG
P. O. BOX 811963
Lauderdale-By-The-Sea, FL 33062**

Respondent(s).

_____ /

The above referenced case was heard on August 5, 2009 and Respondent did not appear at the hearing. A Notice of Violation was issued on June 5, 2009 with a correction date of July 6, 2009. Compliance was not gained on July 6, 2009. The Special Magistrate ordered that the Respondent be given ninety (90) days from the hearing date to bring the property into compliance or a daily fine of One Hundred Fifty (\$150.00) Dollars would be assessed plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

The property located at 1931 S.E. 18TH Street, Lauderdale-By-The-Sea, Florida, corresponding to Folio # 9307-04-0230, legally described as:
BEL-AIR ILSE 40-43 B LOT 12 BLK 1

Has not been brought into compliance and a daily fine of One Hundred Fifty (\$150.00) Dollars began to accrue on November 6, 2009 and continues to accrue until compliance is gained. The Final Order was mailed via Certified Mail on August 7, 2009. On March 3, 2010 Notice of Certification of Lien Intent was sent via certified mail for the hearing date March 17, 2010 and a signed return receipt was received. Respondent Diane Breitberg was present.

Therefore, pursuant to Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

1. The Order of August 5, 2009 required the Respondent to bring the property into compliance ninety (90) days from the hearing date or be assessed a daily fine of One Hundred Fifty (\$150.00) Dollars. An Administrative Fee of One Hundred Fifty (\$150.00) Dollars was also imposed.

2. The Respondent has not brought the violation into compliance and the daily fine of One Hundred Fifty (\$150.00) Dollars continues to accrue as of November 6, 2009. Therefore, Special Magistrate imposes and certifies fines for the daily fine of One


Hundred Fifty (\$150.00) Dollars that continues to accrue until compliance is gained plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

3. That this Certification, together with the original Final Order, be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on which the violation(s) exists, and upon any other real or personal property owned by Respondent.

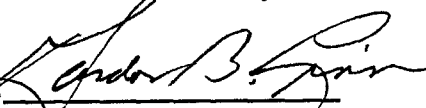
4. If any person desires to appeal, pursuant to Section 162.11, Florida Statutes, such person will need a record of the proceedings which includes the testimony and evidence upon which the appeal is based.

Certification of Lien ordered at Lauderdale-By-The-Sea this 17th day of March, 2010.

ATTEST:

BY: 
Colleen Tyrrell, Secretary for the Special Magistrate

Special Magistrate of the
Town of Lauderdale-By-The-Sea

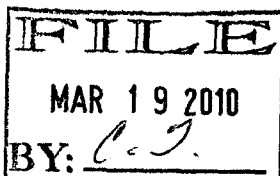
BY: 
Gordon B. Linn, Special Magistrate

() Personally known to me

Copies furnished to:

DIANE BREITBERG
P. O. BOX 811963
Lauderdale-By-The-Sea, FL 33062

Danielle Bolton/ For US Bank National Assn.
2424 N. Federal Highway Suite 360
Boca Raton, FL 33431



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
CODE COMPLIANCE SPECIAL MAGISTRATE**

CASE NUMBER: 09-KP-00682

TOWN OF LAUDERDALE BY THE SEA,
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

**MALINDA BARRETT & SEAN POTTS
1955 SE. 19TH Avenue
Lauderdale-By-The-Sea, FL 33062**

RESPONDENT

FINAL ORDER

HEARING DATE: August 5, 2009

VIOLATION(S): Failure to connect to the sanitary Sewer System.

CODE SECTION: 20-16

An Administrative hearing was held before the Special Magistrate on August 5, 2009. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at:
1955 S.E. 19th Avenue, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number (Property I.D.): 9307-04-0520

At the hearing held on this matter on August 5, 2009 the Petitioner Town presented testimony by Code Compliance Officer Parker concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Town Ordinance Section 20-16. Officer Parker presented backup material pertaining to the sanitary sewer system that was entered into evidence as Town's Composite Exhibit A through E. Officer Parker cited the property on June 5, 2009 with a compliance date of July 6, 2009 for failing to connect to the sanitary sewer system. Officer Parker said that the re-inspection that was done via the Broward County Building Code Services web-site indicated that a permit application had not been submitted for the sanitary sewer hook-up. Officer Parker said that she had received a letter dated July 7, 2009 stating that the house was under contract and that the new owner would need more time to hook up to the sewer system. A second letter was received August 3, 2009 requesting a continuance. Officer Parker indicated that there was no record that the property was under contract. The Respondent was not present at the hearing.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

F

MALINDA BARRETT & SEAN POTTS
CASE NUMBER: 09-KP-00682

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 20-16.

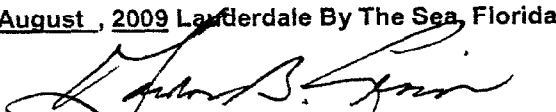
IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.

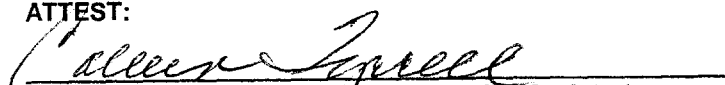
THE SPECIAL MAGISTRATE DENIES THE RESPONDENT'S REQUEST FOR A CONTINUANCE AND ORDERS THAT THE RESPONDENT BE GIVEN NINETY (90) DAYS FROM THE HEARING DATE TO BRING THE VIOLATION INTO COMPLIANCE. FAILURE TO ABATE THE VIOLATION WITHIN THE NINETY (90) DAY TIMEFRAME, A ONE HUNDRED FIFTY (\$150.00) DOLLAR FINE PER DAY WOULD COMMENCE. THE MAGISTRATE ALSO IMPOSED A ONE HUNDRED FIFTY (\$150.00) DOLLAR ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 5TH day of August, 2009 Lauderdale By The Sea, Florida.


Gordon B. Linn, Special Magistrate

ATTEST:


Colleen Tyrrell, Secretary for the Special Magistrate

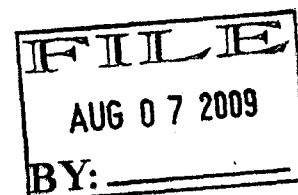
Cc to: N/A

Note: Please make your check payable to:

Town of Lauderdale-By-The-Sea

Please send your check to:

4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
4501 N. OCEAN DRIVE
Lauderdale-By-The-Sea, Florida 33308**

**BEFORE THE SPECIAL MAGISTRATE
ORDER IMPOSING FINE/CERTIFICATE OF LIEN**

TOWN OF LAUDERDALE-BY-THE-SEA,

Petitioner

v.

Case No. 09-KP-00682

**MALINDA BARRETT & SEAN POTTS
1955 S. E. 19th Avenue
Lauderdale-By-The-Sea, FL 33062**

Respondent(s).

_____ /

The above referenced case was heard on August 5, 2009 and Respondent did not appear at the hearing. A Notice of Violation was issued on June 5, 2009 with a correction date of July 6, 2009. Compliance was not gained on July 6, 2009. The Special Magistrate ordered that the Respondent be given ninety (90) days from the hearing date to bring the property into compliance or a daily fine of One Hundred Fifty (\$150.00) Dollars would be assessed plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

The property located at 1955 S. E. 19th Avenue, Lauderdale-By-The-Sea, Florida, corresponding to Folio # 9307-04-0520, legally described as:

BEL-AIR ISLE 40-43 B LOT 51 LESS PT DESC IN OR 2378/558 BLK 1

Has not been brought into compliance and a daily fine of One Hundred Fifty (\$150.00) Dollars began to accrue on November 6, 2009 and continues to accrue until compliance is gained. The Final Order was mailed via Certified Mail on August 7, 2009. On March 3, 2010 Notice of Certification of Lien Intent was sent via certified mail for the hearing date March 17, 2010 and a signed return receipt was received. Respondent was not present.

Therefore, pursuant to Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

1. The Order of August 5, 2009 required the Respondent to bring the property into compliance ninety (90) days from the hearing date or be assessed a daily fine of One Hundred Fifty (\$150.00) Dollars. An Administrative Fee of One Hundred Fifty (\$150.00) Dollars was also imposed.

2. The Respondent has not brought the violation into compliance and the daily fine of One Hundred Fifty (\$150.00) Dollars continues to accrue as of November 6, 2009. Therefore, Special Magistrate imposes and certifies fines for the daily fine of One

Hundred Fifty (\$150.00) Dollars that continues to accrue until compliance is gained plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

3. That this Certification, together with the original Final Order, be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on which the violation(s) exists, and upon any other real or personal property owned by Respondent.

4. If any person desires to appeal, pursuant to Section 162.11, Florida Statutes, such person will need a record of the proceedings which includes the testimony and evidence upon which the appeal is based.

Certification of Lien ordered at Lauderdale-By-The-Sea this 17th day of March, 2010.

ATTEST:

BY: Colleen Tyrrell
Colleen Tyrrell, Secretary for the Special Magistrate

Special Magistrate of the
Town of Lauderdale-By-The-Sea

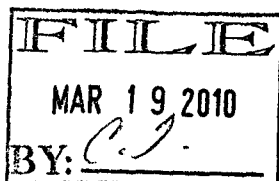
BY: Gordon B. Linn
Gordon B. Linn, Special Magistrate

() Personally known to me

Copies furnished to:

MALINDA BARRETT & SEAN POTTS
1955 S. E. 19th Avenue
Lauderdale-By-The-Sea, FL 33062

Albertelli Law/ for Barrett & Potts
P. O. Box 23028
Tampa, FL 33623



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
CODE COMPLIANCE SPECIAL MAGISTRATE**

CASE NUMBER: 09-KP-00680

TOWN OF LAUDERDALE BY THE SEA,
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

**HANNELORE HEIDEN
1749 S.E. 19TH Avenue
Lauderdale-By-The-Sea, FL 33062**

RESPONDENT

FINAL ORDER

HEARING DATE: August 5, 2009

VIOLATION(S): Failure to connect to the sanitary Sewer System.

CODE SECTION: 20-16

An Administrative hearing was held before the Special Magistrate on August 5, 2009. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at:
1749 S.E. 19th Avenue, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number (Property I.D.): 9307-02-0020

At the hearing held on this matter on August 5, 2009 the Petitioner Town presented testimony by Code Compliance Officer Parker concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Town Ordinance Section 20-16. Officer Parker presented backup material pertaining to the sanitary sewer system that was entered into evidence as Town's Composite Exhibit A through E. Officer Parker cited the property on June 5, 2009 with a compliance date of July 6, 2009 for failing to connect to the sanitary sewer system. Officer Parker said that the re-inspection that was done via the Broward County Building Code Services web-site indicated that a permit application had not been submitted for the sanitary sewer hook-up. The Respondent was not present at the hearing.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 20-16.

HANNELORE HEIDEN
CASE NUMBER: 09-KP-00680

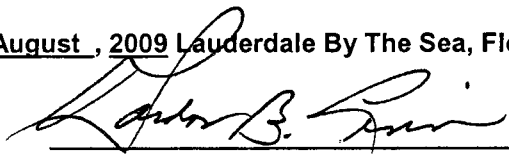
IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.

THE SPECIAL MAGISTRATE ORDERS THAT THE RESPONDENT BE GIVEN NINETY (90) DAYS FROM THE HEARING DATE TO BRING THE VIOLATION INTO COMPLIANCE. FAILURE TO ABATE THE VIOLATION WITHIN THE NINETY (90) DAY TIMEFRAME, A ONE HUNDRED FIFTY (\$150.00) DOLLAR FINE PER DAY WOULD COMMENCE. THE MAGISTRATE ALSO IMPOSED A ONE HUNDRED FIFTY (\$150.00) DOLLAR ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 5TH day of August, 2009 Lauderdale By The Sea, Florida.


Gordon B. Linn, Special Magistrate

ATTEST:


Colleen Tyrrell, Secretary for the Special Magistrate

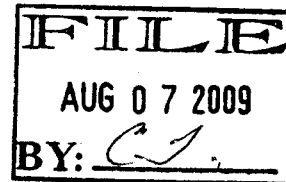
Cc to: N/A

Note: Please make your check payable to:

Town of Lauderdale-By-The-Sea

Please send your check to:

4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
4501 N. OCEAN DRIVE
Lauderdale-By-The-Sea, Florida 33308**

**BEFORE THE SPECIAL MAGISTRATE
ORDER IMPOSING FINE/CERTIFICATE OF LIEN**

TOWN OF LAUDERDALE-BY-THE-SEA,

Petitioner

v.

Case No. 09-KP-00680

**Hannelore Heiden
1749 S. E. 19th Avenue
Lauderdale-By-The-Sea, FL 33062**

Respondent(s).

_____ /

The above referenced case was heard on August 5, 2009 and Respondent did not appear at the hearing. A Notice of Violation was issued on June 5, 2009 with a correction date of July 6, 2009. Compliance was not gained on July 6, 2009. The Special Magistrate ordered that the Respondent be given ninety (90) days from the hearing date to bring the property into compliance or a daily fine of One Hundred Fifty (\$150.00) Dollars would be assessed plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

The property located at 1749 S. E. 19th Avenue, Lauderdale-By-The-Sea, Florida, corresponding to Folio # 9307-02-0020, legally described as:
BEL-AIR ADD 33-5 B LOT 32

Has not been brought into compliance and a daily fine of One Hundred Fifty (\$150.00) Dollars began to accrue on November 6, 2009 and continues to accrue until compliance is gained. The Final Order was mailed via Certified Mail on August 7, 2009. On March 2, 2010 Notice of Certification of Lien Intent was sent via certified mail for the hearing date March 17, 2010. Respondent was not present.

Therefore, pursuant to Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

1. The Order of August 5, 2009 required the Respondent to bring the property into compliance ninety (90) days from the hearing date or be assessed a daily fine of One Hundred Fifty (\$150.00) Dollars. An Administrative Fee of One Hundred Fifty (\$150.00) Dollars was also imposed.

2. The Respondent has not brought the violation into compliance and the daily fine of One Hundred Fifty (\$150.00) Dollars continues to accrue as of November 6, 2009. Therefore, Special Magistrate imposes and certifies fines for the daily fine of One

Hundred Fifty (\$150.00) Dollars that continues to accrue until compliance is gained plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

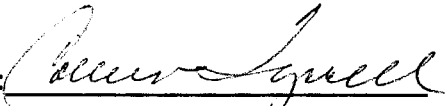
3. That this Certification, together with the original Final Order, be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on which the violation(s) exists, and upon any other real or personal property owned by Respondent.

4. If any person desires to appeal, pursuant to Section 162.11, Florida Statutes, such person will need a record of the proceedings which includes the testimony and evidence upon which the appeal is based.

Certification of Lien ordered at Lauderdale-By-The-Sea this 17th day of March, 2010.

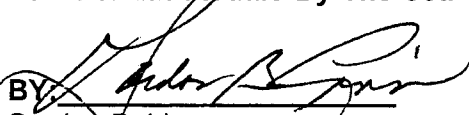
ATTEST:

BY:


Colleen Tyrrell, Secretary for the Special Magistrate

**Special Magistrate of the
Town of Lauderdale-By-The-Sea**

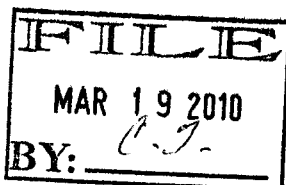
BY:


Gordon B. Linn, Special Magistrate

() Personally known to me

Copies furnished to:

Hannelore Heiden
1749 S. E. 19th Avenue
Lauderdale-By-The-Sea, FL 33062



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
CODE COMPLIANCE SPECIAL MAGISTRATE**

CASE NUMBER: 09-KP-00699

TOWN OF LAUDERDALE BY THE SEA,
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

**KENNETH & DELISE BOWEN
1937 S.E. 17th Court
Lauderdale-By-The-Sea, FL 33062**

RESPONDENT

FINAL ORDER

HEARING DATE: August 5, 2009

VIOLATION(S): Failure to connect to the sanitary Sewer System.

CODE SECTION: 20-16

An Administrative hearing was held before the Special Magistrate on August 5, 2009. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at:
1937 S.E. 17th Court, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number (Property I.D.): 9307-01-1430

At the hearing held on this matter on August 5, 2009 the Petitioner Town presented testimony by Code Compliance Officer Parker concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Town Ordinance Section 2016. Officer Parker presented backup material pertaining to the sanitary sewer system that was entered into evidence as Town's Composite Exhibit A through E. Officer Parker cited the property on June 5, 2009 with a compliance date of July 6, 2009 for failing to connect to the sanitary sewer system. Officer Parker said that the re-inspection that was done via the Broward County Building Code Services web-site indicated that a permit application had not been submitted for the sanitary sewer hook-up. The Respondent was not present at the hearing.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 20-16.

KENNETH & DELISE BOWEN
CASE NUMBER: 09-KP-00699


IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.

THE SPECIAL MAGISTRATE ORDERS THAT THE RESPONDENT BE GIVEN NINETY (90) DAYS FROM THE HEARING DATE TO BRING THE VIOLATION INTO COMPLIANCE. FAILURE TO ABATE THE VIOLATION WITHIN THE NINETY (90) DAY TIMEFRAME, A ONE HUNDRED FIFTY (\$150.00) DOLLAR FINE PER DAY WOULD COMMENCE. THE MAGISTRATE ALSO IMPOSED A ONE HUNDRED FIFTY (\$150.00) DOLLAR ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 5TH day of August, 2009 Lauderdale By The Sea, Florida.


Gordon B. Linn, Special Magistrate

ATTEST:


Colleen Tyrrell, Secretary for the Special Magistrate

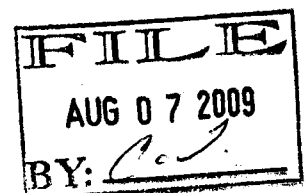
Cc to: N/A

Note: Please make your check payable to:

Town of Lauderdale-By-The-Sea

Please send your check to:

4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
4501 N. OCEAN DRIVE
Lauderdale-By-The-Sea, Florida 33308**

**BEFORE THE SPECIAL MAGISTRATE
ORDER IMPOSING FINE/CERTIFICATE OF LIEN**

TOWN OF LAUDERDALE-BY-THE-SEA,

Petitioner

v.

Case No. 09-KP-00682

**KENNETH & DELISE BOWEN
1937 SE 17TH COURT
Lauderdale-By-The-Sea, FL 33062**

Respondent(s).

_____ /

The above referenced case was heard on August 5, 2009 and Respondent did not appear at the hearing. A Notice of Violation was issued on June 5, 2009 with a correction date of July 6, 2009. Compliance was not gained on July 6, 2009. The Special Magistrate ordered that the Respondent be given ninety (90) days from the hearing date to bring the property into compliance or a daily fine of One Hundred Fifty (\$150.00) Dollars would be assessed plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

The property located at 1937 S. E. 17th Court, Lauderdale-By-The-Sea, Florida, corresponding to Folio # 9307-01-1430, legally described as:

BEL-AIR 32-10 B LOT 23 BLK 5

Has not been brought into compliance and a daily fine of One Hundred Fifty (\$150.00) Dollars began to accrue on November 6, 2009 and continues to accrue until compliance is gained. The Final Order was mailed via Certified Mail on August 7, 2009 and a signed return receipt was received. On March 3, 2010 Notice of Certification of Lien Intent was sent via certified mail for the hearing date March 17, 2010 and a signed return receipt was received. Respondent was not present.

Therefore, pursuant to Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

1. The Order of August 5, 2009 required the Respondent to bring the property into compliance ninety (90) days from the hearing date or be assessed a daily fine of One Hundred Fifty (\$150.00) Dollars. An Administrative Fee of One Hundred Fifty (\$150.00) Dollars was also imposed.

2. The Respondent has not brought the violation into compliance and the daily fine of One Hundred Fifty (\$150.00) Dollars continues to accrue as of November 6, 2009. Therefore, Special Magistrate imposes and certifies fines for the daily fine of One

Hundred Fifty (\$150.00) Dollars that continues to accrue until compliance is gained plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

3. That this Certification, together with the original Final Order, be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on which the violation(s) exists, and upon any other real or personal property owned by Respondent.

4. If any person desires to appeal, pursuant to Section 162.11, Florida Statutes, such person will need a record of the proceedings which includes the testimony and evidence upon which the appeal is based.

Certification of Lien ordered at Lauderdale-By-The-Sea this 17th day of March, 2010.

ATTEST:

BY: 

Colleen Tyrrell, Secretary for the Special Magistrate

**Special Magistrate of the
Town of Lauderdale-By-The-Sea**

BY: 

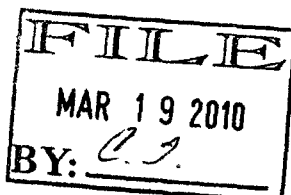
Gordon B. Linn, Special Magistrate

() Personally known to me

Copies furnished to:

KENNETH & DELISE BOWEN
1937 SE 17TH COURT
Lauderdale-By-The-Sea, FL 33062

Albertelli Law/ for K Bowen
P. O. Box 23028
Tampa, FL 33623



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
CODE COMPLIANCE SPECIAL MAGISTRATE**

CASE NUMBER: 09-KP-00683

TOWN OF LAUDERDALE BY THE SEA,
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

**MICHAEL MALLER
2011 S.E. 19th Street
Lauderdale-By-The-Sea, FL 33062**

RESPONDENT

FINAL ORDER

HEARING DATE: August 5, 2009

VIOLATION(S): Failure to connect to the sanitary Sewer System.

CODE SECTION: 20-16

An Administrative hearing was held before the Special Magistrate on August 5, 2009. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at:
2011 S.E. 19th Street, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number (Property I.D.): 9307-04-0380

At the hearing held on this matter on August 5, 2009 the Petitioner Town presented testimony by Code Compliance Officer Parker concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Town Ordinance Section 20-16. Officer Parker presented backup material pertaining to the sanitary sewer system that was entered into evidence as Town's Composite Exhibit A through E. Officer Parker cited the property on June 4, 2009 with a compliance date of July 5, 2009 for failing to connect to the sanitary sewer system. Officer Parker said that the re-inspection that was done via the Broward County Building Code Services web-site indicated that a permit application had not been submitted for the sanitary sewer hook-up. The Respondent was not present at the hearing.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 20-16.

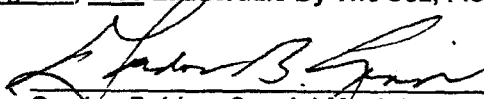
IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.


THE SPECIAL MAGISTRATE ORDERS THAT THE RESPONDENT BE GIVEN NINETY (90) DAYS FROM THE HEARING DATE TO BRING THE VIOLATION INTO COMPLIANCE. FAILURE TO ABATE THE VIOLATION WITHIN THE NINETY (90) DAY TIMEFRAME, A ONE HUNDRED FIFTY (\$150.00) DOLLAR FINE PER DAY WOULD COMMENCE. THE MAGISTRATE ALSO IMPOSED A ONE HUNDRED FIFTY (\$150.00) DOLLAR ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 5TH day of August, 2009 Lauderdale By The Sea, Florida.


Gordon B. Linn, Special Magistrate

ATTEST:


Colleen Tyrrell, Secretary for the Special Magistrate

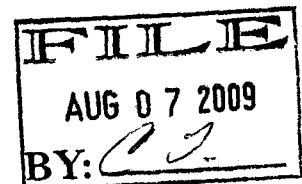
Cc to: N/A

Note: Please make your check payable to:

Town of Lauderdale-By-The-Sea

Please send your check to:

4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
4501 N. OCEAN DRIVE
Lauderdale-By-The-Sea, Florida 33308**

**BEFORE THE SPECIAL MAGISTRATE
ORDER IMPOSING FINE/CERTIFICATE OF LIEN**

TOWN OF LAUDERDALE-BY-THE-SEA,

Petitioner

v.

Case No. 09-KP-00683

**MICHAEL MALLER
2011 S. E. 19th Street
Lauderdale-By-The-Sea, FL 33062**

Respondent(s).

_____ /

The above referenced case was heard on August 5, 2009 and Respondent did not appear at the hearing. A Notice of Violation was issued on June 5, 2009 with a correction date of July 6, 2009. Compliance was not gained on July 6, 2009. The Special Magistrate ordered that the Respondent be given ninety (90) days from the hearing date to bring the property into compliance or a daily fine of One Hundred Fifty (\$150.00) Dollars would be assessed plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

The property located at 2011 S. E. 19th Street, Lauderdale-By-The-Sea, Florida, corresponding to Folio # 9307-04-0380, legally described as:
BEL-AIR ISLE 40-43 B LOT 37 BLK 1

Has not been brought into compliance and a daily fine of One Hundred Fifty (\$150.00) Dollars began to accrue on November 6, 2009 and continues to accrue until compliance is gained. The Final Order was mailed via Certified Mail on August 7, 2009. On March 3, 2010 Notice of Certification of Lien Intent was sent via certified mail for the hearing date March 17, 2010. Respondent was not present.

Therefore, pursuant to Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

1. The Order of August 5, 2009 required the Respondent to bring the property into compliance ninety (90) days from the hearing date or be assessed a daily fine of One Hundred Fifty (\$150.00) Dollars. An Administrative Fee of One Hundred Fifty (\$150.00) Dollars was also imposed.

2. The Respondent has not brought the violation into compliance and the daily fine of One Hundred Fifty (\$150.00) Dollars continues to accrue as of November 6, 2009. Therefore, Special Magistrate imposes and certifies fines for the daily fine of One

Hundred Fifty (\$150.00) Dollars that continues to accrue until compliance is gained plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

3. That this Certification, together with the original Final Order, be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on which the violation(s) exists, and upon any other real or personal property owned by Respondent.

4. If any person desires to appeal, pursuant to Section 162.11, Florida Statutes, such person will need a record of the proceedings which includes the testimony and evidence upon which the appeal is based.

Certification of Lien ordered at Lauderdale-By-The-Sea this 17th day of March, 2010.

ATTEST:

BY: Colleen Tyrrell
Colleen Tyrrell, Secretary for the Special Magistrate

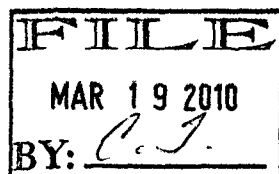
Special Magistrate of the
Town of Lauderdale-By-The-Sea

BY: Gordon B. Linn
Gordon B. Linn, Special Magistrate

() Personally known to me

Copies furnished to:

MICHAEL MALLER
2011 S. E. 19th Street
Lauderdale-By-The-Sea, FL 33062



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
CODE COMPLIANCE SPECIAL MAGISTRATE**

CASE NUMBER: 09-KP-00678

TOWN OF LAUDERDALE BY THE SEA,
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

**DEVAUGHN CHRISTOPHER
1724 S.E. 21st Avenue
Lauderdale-By-The-Sea, FL 33062**

RESPONDENT

FINAL ORDER

HEARING DATE: August 5, 2009

VIOLATION(S): Failure to connect to the sanitary Sewer System.

CODE SECTION: 20-16

An Administrative hearing was held before the Special Magistrate on August 5, 2009. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at:
1724 S.E. 21st Avenue, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number (Property I.D.): 9307-01-0140

At the hearing held on this matter on August 5, 2009 the Petitioner Town presented testimony by Code Compliance Officer Parker concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Town Ordinance Section 20-16. Officer Parker presented backup material pertaining to the sanitary sewer system that was entered into evidence as Town's Composite Exhibit A through E. Officer Parker cited the property on June 5, 2009 with a compliance date of July 6, 2009 for failing to connect to the sanitary sewer system. Officer Parker said that the re-inspection that was done via the Broward County Building Code Services web-site indicated that a permit application had not been submitted for the sanitary sewer hook-up. The Respondent was not present at the hearing.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 20-16.

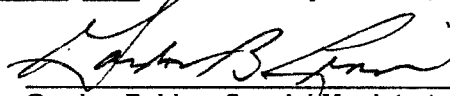
IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.


THE SPECIAL MAGISTRATE ORDERS THAT THE RESPONDENT BE GIVEN NINETY (90) DAYS FROM THE HEARING DATE TO BRING THE VIOLATION INTO COMPLIANCE. FAILURE TO ABATE THE VIOLATION WITHIN THE NINETY (90) DAY TIMEFRAME, A ONE HUNDRED FIFTY (\$150.00) DOLLAR FINE PER DAY WOULD COMMENCE. THE MAGISTRATE ALSO IMPOSED A ONE HUNDRED FIFTY (\$150.00) DOLLAR ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 5TH day of August, 2009 Lauderdale By The Sea, Florida.


Gordon B. Linn, Special Magistrate

ATTEST:


Colleen Tyrrell, Secretary for the Special Magistrate

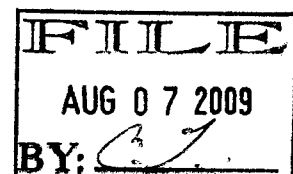
Cc to: N/A

Note: Please make your check payable to:

Town of Lauderdale-By-The-Sea

Please send your check to:

4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
4501 N. OCEAN DRIVE
Lauderdale-By-The-Sea, Florida 33308**

**BEFORE THE SPECIAL MAGISTRATE
ORDER IMPOSING FINE/CERTIFICATE OF LIEN**

TOWN OF LAUDERDALE-BY-THE-SEA,

Petitioner

v.

Case No. 09-KP-00678

**DEVAUGHN CHRISTOPHER
1724 S.E. 21ST AVENUE
Lauderdale-By-The-Sea, FL 33062**

Respondent(s).

_____ /

The above referenced case was heard on August 5, 2009 and Respondent did not appear at the hearing. A Notice of Violation was issued on June 5, 2009 with a correction date of July 6, 2009. Compliance was not gained on July 6, 2009. The Special Magistrate ordered that the Respondent be given ninety (90) days from the hearing date to bring the property into compliance or a daily fine of One Hundred Fifty (\$150.00) Dollars would be assessed plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

The property located at 1724 S.E. 21ST Avenue, Lauderdale-By-The-Sea, Florida, corresponding to Folio # 9307-01-0140, legally described as:
BEL-AIR 32-10 B LOT 14 BLK 1

Has not been brought into compliance and a daily fine of One Hundred Fifty (\$150.00) Dollars began to accrue on November 6, 2009 and continues to accrue until compliance is gained. The Final Order was mailed via Certified Mail on August 7, 2009. On March 3, 2010 Notice of Certification of Lien Intent was sent via certified mail for the hearing date March 17, 2010. Respondent was not present.

Therefore, pursuant to Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

1. The Order of August 5, 2009 required the Respondent to bring the property into compliance ninety (90) days from the hearing date or be assessed a daily fine of One Hundred Fifty (\$150.00) Dollars. An Administrative Fee of One Hundred Fifty (\$150.00) Dollars was also imposed.

2. The Respondent has not brought the violation into compliance and the daily fine of One Hundred Fifty (\$150.00) Dollars continues to accrue as of November 6, 2009. Therefore, Special Magistrate imposes and certifies fines for the daily fine of One

Hundred Fifty (\$150.00) Dollars that continues to accrue until compliance is gained plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

3. That this Certification, together with the original Final Order, be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on which the violation(s) exists, and upon any other real or personal property owned by Respondent.

4. If any person desires to appeal, pursuant to Section 162.11, Florida Statutes, such person will need a record of the proceedings which includes the testimony and evidence upon which the appeal is based.

Certification of Lien ordered at Lauderdale-By-The-Sea this 17th day of March, 2010.

ATTEST:

BY: Colleen Tyrrell
Colleen Tyrrell, Secretary for the Special Magistrate

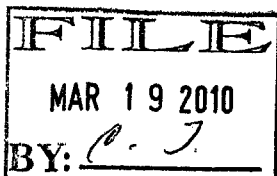
Special Magistrate of the
Town of Lauderdale-By-The-Sea

BY: Gordon B. Linn
Gordon B. Linn, Special Magistrate

() Personally known to me

Copies furnished to:

DEVAUGHN CHRISTOPHER
1724 S.E. 21ST AVENUE
Lauderdale-By-The-Sea, FL 33062



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
CODE COMPLIANCE SPECIAL MAGISTRATE**

CASE NUMBER: 09-KP-00695

TOWN OF LAUDERDALE BY THE SEA,
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

**Manuel & Dominica Fagundes
2049 S.E. 17th Court
Lauderdale-By-The-Sea, FL 33062**

RESPONDENT

FINAL ORDER

HEARING DATE: August 5, 2009

VIOLATION(S): Failure to connect to the sanitary Sewer System.

CODE SECTION: 20-16

An Administrative hearing was held before the Special Magistrate on August 5, 2009. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at:
2049 S.E. 17th Court, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number (Property I.D.): 9307-01-1350

At the hearing held on this matter on August 5, 2009 the Petitioner Town presented testimony by Code Compliance Officer Parker concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Town Ordinance Section 20-16. Officer Parker presented backup material pertaining to the sanitary sewer system that was entered into evidence as Town's Composite Exhibit A through E. Officer Parker cited the property on June 5, 2009 with a compliance date of July 6, 2009 for failing to connect to the sanitary sewer system. Officer Parker said that the re-inspection that was done via the Broward County Building Code Services web-site indicated that a permit application had not been submitted for the sanitary sewer hook-up. The Respondent was not present at the hearing.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 20-16.

Manuel & Dominica Fagundes
CASE NUMBER: 09-KP-00695

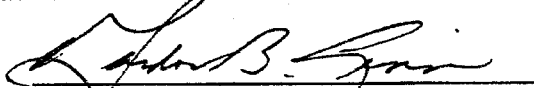
IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.

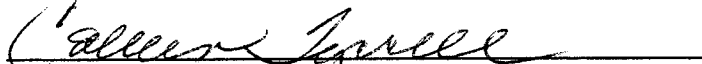
THE SPECIAL MAGISTRATE ORDERS THAT THE RESPONDENT BE GIVEN NINETY (90) DAYS FROM THE HEARING DATE TO BRING THE VIOLATION INTO COMPLIANCE. FAILURE TO ABATE THE VIOLATION WITHIN THE NINETY (90) DAY TIMEFRAME, A ONE HUNDRED FIFTY (\$150.00) DOLLAR FINE PER DAY WOULD COMMENCE. THE MAGISTRATE ALSO IMPOSED A ONE HUNDRED FIFTY (\$150.00) DOLLAR ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 5TH day of August, 2009 Lauderdale By The Sea, Florida.


Gordon B. Linn, Special Magistrate

ATTEST:


Colleen Tyrrell, Secretary for the Special Magistrate

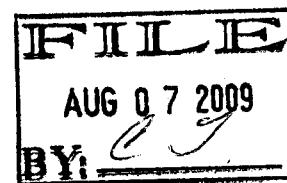
Cc to: N/A

Note: Please make your check payable to:

Town of Lauderdale-By-The-Sea

Please send your check to:

4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
4501 N. OCEAN DRIVE
Lauderdale-By-The-Sea, Florida 33308**

**BEFORE THE SPECIAL MAGISTRATE
ORDER IMPOSING FINE/CERTIFICATE OF LIEN**

TOWN OF LAUDERDALE-BY-THE-SEA,

Petitioner

v.

Case No. 09-KP-00695

**MANUEL & DOMINIC A FAGUNDES
2049 SE 17TH COURT
Lauderdale-By-The-Sea, FL 33062**

Respondent(s).

_____ /

The above referenced case was heard on August 5, 2009 and Respondent did not appear at the hearing. A Notice of Violation was issued on June 5, 2009 with a correction date of July 6, 2009. Compliance was not gained on July 6, 2009. The Special Magistrate ordered that the Respondent be given ninety (90) days from the hearing date to bring the property into compliance or a daily fine of One Hundred Fifty (\$150.00) Dollars would be assessed plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

The property located at 2049 S. E. 17th Court, Lauderdale-By-The-Sea, Florida, corresponding to Folio # 9307-01-1350, legally described as:
BEL-AIR 32-10 B LOT 14 W 3, 15 BLK 5

Has not been brought into compliance and a daily fine of One Hundred Fifty (\$150.00) Dollars began to accrue on November 6, 2009 and continues to accrue until compliance is gained. The Final Order was mailed via Certified Mail on August 7, 2009. On March 3, 2010 Notice of Certification of Lien Intent was sent via certified mail for the hearing date March 17, 2010. Respondent was not present.

Therefore, pursuant to Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

1. The Order of August 5, 2009 required the Respondent to bring the property into compliance ninety (90) days from the hearing date or be assessed a daily fine of One Hundred Fifty (\$150.00) Dollars. An Administrative Fee of One Hundred Fifty (\$150.00) Dollars was also imposed.

2. The Respondent has not brought the violation into compliance and the daily fine of One Hundred Fifty (\$150.00) Dollars continues to accrue as of November 6, 2009. Therefore, Special Magistrate imposes and certifies fines for the daily fine of One

Hundred Fifty (\$150.00) Dollars that continues to accrue until compliance is gained plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

3. That this Certification, together with the original Final Order, be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on which the violation(s) exists, and upon any other real or personal property owned by Respondent.

4. If any person desires to appeal, pursuant to Section 162.11, Florida Statutes, such person will need a record of the proceedings which includes the testimony and evidence upon which the appeal is based.

Certification of Lien ordered at Lauderdale-By-The-Sea this 17th day of March, 2010.

ATTEST:

Special Magistrate of the
Town of Lauderdale-By-The-Sea

BY: Colleen Tyrrell
Colleen Tyrrell, Secretary for the Special Magistrate

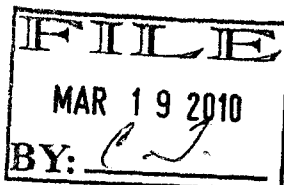
BY: Gordon B. Linn
Gordon B. Linn, Special Magistrate

() Personally known to me

Copies furnished to:

MANUEL & DOMINIC A FAGUNDES
2049 SE 17TH COURT
Lauderdale-By-The-Sea, FL 33062

Law Office – Lindsay R. Dunn
9204 King Palm Drive
Tampa, FL 33619-1328



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
CODE COMPLIANCE SPECIAL MAGISTRATE**

CASE NUMBER: 09-KP-00703

TOWN OF LAUDERDALE BY THE SEA,
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

**CHRIS SMITH
17 VESPER LANE
NANTUCKET, MA 02554**

RESPONDENT

FINAL ORDER

HEARING DATE: August 5, 2009

VIOLATION(S): Failure to connect to the sanitary Sewer System.

CODE SECTION: 20-16

An Administrative hearing was held before the Special Magistrate on August 5, 2009. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at:
2062 S. E. 17th Court, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number (Property I.D.): 9307-01-0200

At the hearing held on this matter on August 5, 2009 the Petitioner Town presented testimony by Code Compliance Officer Parker concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Town Ordinance Section 20-16. Officer Parker presented backup material pertaining to the sanitary sewer system that was entered into evidence as Town's Composite Exhibit A through E. Officer Parker cited the property on June 4, 2009 with a compliance date of July 5, 2009 for failing to connect to the sanitary sewer system. Officer Parker said that the re-inspection that was done via the Broward County Building Code Services web-site indicated that a permit application had not been submitted for the sanitary sewer hook-up. Officer Parker said that she received a phone call from Mr. Smith advising that the bank foreclosed on the home and that the bank owned the property. Officer Parker said that the Broward County Property Appraiser still shows Mr. Smith as the property owner. The Respondent was not present at the hearing.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

F

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 20-16.


IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.

THE SPECIAL MAGISTRATE ORDERS THAT THE RESPONDENT BE GIVEN NINETY (90) DAYS FROM THE HEARING DATE TO BRING THE VIOLATION INTO COMPLIANCE. FAILURE TO ABATE THE VIOLATION WITHIN THE NINETY (90) DAY TIMEFRAME, A ONE HUNDRED FIFTY (\$150.00) DOLLAR FINE PER DAY WOULD COMMENCE. THE MAGISTRATE ALSO IMPOSED A ONE HUNDRED FIFTY (\$150.00) DOLLAR ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 5TH day of August, 2009 Lauderdale By The Sea, Florida.


Gordon B. Linn, Special Magistrate

ATTEST:


Colleen Tyrrell, Secretary for the Special Magistrate

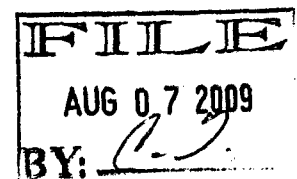
Cc to: N/A

Note: Please make your check payable to:

Town of Lauderdale-By-The-Sea

Please send your check to:

4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
4501 N. OCEAN DRIVE
Lauderdale-By-The-Sea, Florida 33308**

**BEFORE THE SPECIAL MAGISTRATE
ORDER IMPOSING FINE/CERTIFICATE OF LIEN**

TOWN OF LAUDERDALE-BY-THE-SEA,

Petitioner

v.

Case No. 09-KP-00703

**CHRIS SMITH
2062 S.E. 17TH COURT
Lauderdale-By-The-Sea, FL 33062**

Respondent(s).

_____ /

The above referenced case was heard on August 5, 2009 and Respondent did not appear at the hearing. A Notice of Violation was issued on June 5, 2009 with a correction date of July 6, 2009. Compliance was not gained on July 6, 2009. The Special Magistrate ordered that the Respondent be given ninety (90) days from the hearing date to bring the property into compliance or a daily fine of One Hundred Fifty (\$150.00) Dollars would be assessed plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

The property located at 2062 S. E. 17th Court, Lauderdale-By-The-Sea, Florida, corresponding to Folio # 9307-01-0200, legally described as:
BEL-AIR ISLE 32 – 10 B LOT 19 BLK 1

Has not been brought into compliance and a daily fine of One Hundred Fifty (\$150.00) Dollars began to accrue on November 6, 2009 and continues to accrue until compliance is gained. The Final Order was mailed via Certified Mail on August 7, 2009 and a signed return receipt was received. On March 3, 2010 Notice of Certification of Lien Intent was sent via certified mail for the hearing date March 17, 2010. Respondent was not present.

Therefore, pursuant to Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

1. The Order of August 5, 2009 required the Respondent to bring the property into compliance ninety (90) days from the hearing date or be assessed a daily fine of One Hundred Fifty (\$150.00) Dollars. An Administrative Fee of One Hundred Fifty (\$150.00) Dollars was also imposed.

2. The Respondent has not brought the violation into compliance and the daily fine of One Hundred Fifty (\$150.00) Dollars continues to accrue as of November 6, 2009. Therefore, Special Magistrate imposes and certifies fines for the daily fine of One

Hundred Fifty (\$150.00) Dollars that continues to accrue until compliance is gained plus an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

3. That this Certification, together with the original Final Order, be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on which the violation(s) exists, and upon any other real or personal property owned by Respondent.

4. If any person desires to appeal, pursuant to Section 162.11, Florida Statutes, such person will need a record of the proceedings which includes the testimony and evidence upon which the appeal is based.

Certification of Lien ordered at Lauderdale-By-The-Sea this 17th day of March, 2010.

ATTEST:

BY: Colleen Tyrrell
Colleen Tyrrell, Secretary for the Special Magistrate

**Special Magistrate of the
Town of Lauderdale-By-The-Sea**

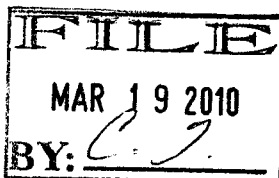
BY: Gordon B. Linn
Gordon B. Linn, Special Magistrate

() Personally known to me

Copies furnished to:

CHRIS SMITH
2062 S.E. 17TH COURT
Lauderdale-By-The-Sea, FL 33062

Clay Holstinger PA / for C Smith
P. O. Box 800
Tampa, FL 33601



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
CODE COMPLIANCE SPECIAL MAGISTRATE**

CASE NUMBER: 09-KM-01648

TOWN OF LAUDERDALE BY THE SEA,
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

**Lisa Wendell & Mark Lees
1960 E. Terra Mar Drive
Lauderdale-By-The-Sea, FL 33062-6834**

RESPONDENT

FINAL ORDER

HEARING DATE: October 21, 2009

VIOLATION(S): Post street address on building so it is visible from the street. CODE SECTION: 6 – 6 a

An Administrative hearing was held before the Special Magistrate on October 21, 2009. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at:
1960 E. Terra Mar Drive, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number (Property I.D.): 9306-20-00630

At the hearing held on this matter on October 21, 2009 the Petitioner Town presented testimony by Code Compliance Officer Kimberly Williams concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Chapter 162 Florida Statutes. Officer Williams cited the property on August 19, 2009 with a compliance date of August 26, 2009. Officer Williams presented photos that were taken on August 20, 2009 that accurately depicts the condition of the property. Officer Williams said that she spoke to the property owner several times but compliance has not been gained. The Respondent was not present at the hearing.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 6 – 6 a.

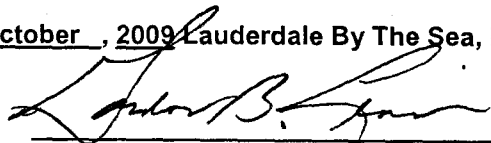
IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.

THE SPECIAL MAGISTRATE ORDERS THAT THE RESPONDENT BE GIVEN THIRTY (30) DAYS FROM THE HEARING DATE TO BRING THE VIOLATION INTO COMPLIANCE. FAILURE TO BRING THE PROPERTY INTO COMPLIANCE WITHIN THE SPECIFIED TIMEFRAME, A ONE HUNDRED (\$100.00) DOLLAR FINE PER DAY WOULD COMMENCE. THE SPECIAL MAGISTRATE ALSO IMPOSED A ONE HUNDRED FIFTY (\$150.00) DOLLAR ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 21ST day of October, 2009, Lauderdale By The Sea, Florida.


Gordon B. Linn, Special Magistrate

ATTEST:


Colleen Tyrrell, Secretary for the Special Magistrate

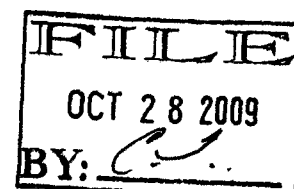
Cc to: N/A

Note: Please make your check payable to:

Town of Lauderdale-By-The-Sea

Please send your check to:

4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
4501 N. OCEAN DRIVE
Lauderdale-By-The-Sea, Florida 33308**

**BEFORE THE SPECIAL MAGISTRATE
ORDER IMPOSING FINE/CERTIFICATE OF LIEN**

TOWN OF LAUDERDALE-BY-THE-SEA,

Petitioner

v.

Case No. 09-KM-01648

**Lisa Wendell & Mark Lees
1960 E. Terra Mar Drive
Lauderdale-By-The-Sea, FL 33062-6834**

Respondent(s).

_____ /

The above referenced case was heard on October 21, 2009 and Respondent did not appear at the hearing. A Notice of Violation was issued on August 19, 2009 with a correction date of August 26, 2009. Compliance was not gained on August 26, 2009. The Special Magistrate ordered that the Respondent be given thirty (30) days from the hearing date to bring the property into compliance or a daily fine of One Hundred (\$100.00) Dollars would be assessed.

The property located at 1969 E. Terra Mar Drive, Lauderdale-By-The-Sea, Florida, corresponding to Folio # 9306-20-0030, legally described as:
TERRA MAR ISLAND ESTATES 29-12 B LOT 3 BLK 1

Has not been brought into compliance and a daily fine of One Hundred (\$100.00) Dollars began to accrue on November 21, 2009 and continues to accrue until compliance is gained. The Final Order was mailed via Certified Mail on October 28, 2009 and a signed return receipt was received. On March 3, 2010 Notice of Certification of Lien Intent was sent via certified mail for the hearing date March 17, 2010. Respondent was not present.

Therefore, pursuant to Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

1. The Order of October 21, 2009 required the Respondent to bring the property into compliance thirty (30) days from the hearing date or be assessed a daily fine of One Hundred (\$100.00) Dollars.

2. The Respondent has not brought the violation into compliance and the daily fine of One Hundred (\$100.00) Dollars continues to accrue as of November 21, 2009. Therefore, Special Magistrate imposes and certifies fines for the daily fine of One Hundred (\$100.00) Dollars that continues to accrue until compliance is gained.


3. That this Certification, together with the original Final Order, be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on which the violation(s) exists, and upon any other real or personal property owned by Respondent.

4. If any person desires to appeal, pursuant to Section 162.11, Florida Statutes, such person will need a record of the proceedings which includes the testimony and evidence upon which the appeal is based.

Certification of Lien ordered at Lauderdale-By-The-Sea this 17th day of March, 2010.

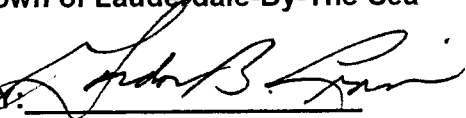
ATTEST:

BY:


Colleen Tyrrell, Secretary for the Special Magistrate

**Special Magistrate of the
Town of Lauderdale-By-The-Sea**

BY:

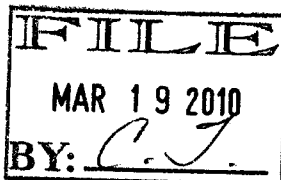

Gordon B. Linn, Special Magistrate

() Personally known to me

Copies furnished to:

Lisa Wendell & Mark Lees
1960 E. Terra Mar Drive
Lauderdale-By-The-Sea, FL 33062-6834

Florida Default Law Group, P.I.
Anne M Cruz-Alvarex
P. O. Box 25018
Tampa, FL 33622-5018



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
CODE COMPLIANCE SPECIAL MAGISTRATE**

CASE NUMBER: 09-KM-01751

TOWN OF LAUDERDALE BY THE SEA,
MUNICIPAL CORPORATION OF FLORIDA

PETITIONER

VS.

**Naomi Eid
1615 SE 19th Avenue
Lauderdale-By-The-Sea, FL 33062**

RESPONDENT

FINAL ORDER

HEARING DATE: October 21, 2009

VIOLATION(S): Post street address on building so it is visible from the street. CODE SECTION: 6 – 6 a

An Administrative hearing was held before the Special Magistrate on October 21, 2009. Set below are the findings of fact, conclusions of law and final order for the subject hearing.

FINDINGS OF FACT

The record indicates that the Respondent(s) owns certain real property located at:
1615 SE 19th Avenue, Lauderdale-By-The-Sea, FL 33062 and more particularly described as follows:

Tax Folio Number (Property I.D.): 9307-01-0380

At the hearing held on this matter on October 21, 2009 the Petitioner Town presented testimony by Code Compliance Officer Kimberly Williams concerning her personal knowledge of the existence of the subject violation(s), and entered into the record evidence of notice required under Chapter 162 Florida Statutes. Officer Williams cited the property on September 9, 2009 with a compliance date of September 15, 2009. Officer Williams presented photos that were taken on August 20, 2009 that accurately depicts the condition of the property. Officer Williams said that the property owner ordered special house numbers but they had not arrived yet and they needed more time to comply. The Respondent was not present at the hearing.

CONCLUSIONS OF LAW

Accordingly, based on the testimony and evidence referenced above, the Petitioner Town has met its burden of providing by substantial competent evidence that alleged violation(s) does in fact exist on the subject property but was not in compliance at or prior to the subject hearing.

ORDER

THEREFORE, BASED UPON THE ABOVE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UNDERSIGNED SPECIAL MAGISTRATE FINDS THE RESPONDENT(S) GUILTY OF VIOLATING: CODE SECTION 6 – 6 a.

Respondent: Naomi Eid
CASE NUMBER: 09-KM-01751

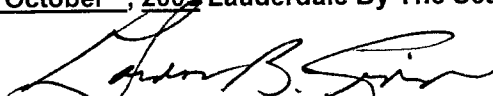
IN DETERMINING THE FINE AMOUNT TO BE IMPOSED, CONSIDERATION WAS GIVEN TO: (1) THE GRAVITY OF THE VIOLATION(S), (2) ANY ACTIONS TAKEN BY THE RESPONDENT(S) TO CORRECT THE VIOLATION(S); AND (3) ANY PREVIOUS VIOLATION(S) COMMITTED BY THE RESPONDENT(S).

FINALLY, THE PETITIONER, TOWN, VERIFIED THAT THE VIOLATION WAS NOT IN COMPLIANCE AT THE TIME OF THE HEARING.

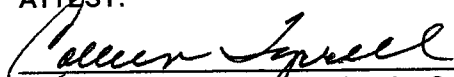
THE SPECIAL MAGISTRATE ORDERS THAT THE RESPONDENT BE GIVEN SIXTY (60) DAYS FROM THE HEARING DATE TO BRING THE VIOLATION INTO COMPLIANCE. FAILURE TO BRING THE PROPERTY INTO COMPLIANCE WITHIN THE SPECIFIED TIMEFRAME, A SEVENTY-FIVE (\$75.00) DOLLAR FINE PER DAY WOULD COMMENCE. THE SPECIAL MAGISTRATE ALSO IMPOSED A ONE HUNDRED FIFTY (\$150.00) DOLLAR ADMINISTRATIVE FEE.

THE TOWN MAY AVAIL ITSELF OF ALL LEGAL REMEDIES AVAILABLE TO IT, INCLUDING THE FORECLOSURE OF THE LIEN.

Done and Ordered this 21ST day of October, 2009, Lauderdale By The Sea, Florida.


Gordon B. Linn, Special Magistrate

ATTEST:


Colleen Tyrrell, Secretary for the Special Magistrate

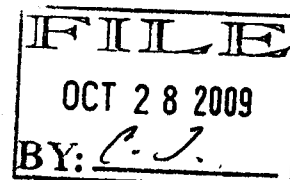
Cc to: N/A

Note: Please make your check payable to:

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Please send your check to:

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Lauderdale-By-The-Sea, FL 33308



**TOWN OF LAUDERDALE BY THE SEA
MUNICIPAL CORPORATION OF FLORIDA
4501 N. OCEAN DRIVE
Lauderdale-By-The-Sea, Florida 33308**

**BEFORE THE SPECIAL MAGISTRATE
ORDER IMPOSING FINE/CERTIFICATE OF LIEN**

TOWN OF LAUDERDALE-BY-THE-SEA,

Petitioner

v.

Case No. 09-KM-01751

**Naomi Eid
1615 SE 19th Avenue
Lauderdale-By-The-Sea, FL 33062**

Respondent(s).

_____ /
The above referenced case was heard on October 21, 2009. Compliance was gained within the timeframe specified by the Final Order and Respondent Naomi Eid did not appear at the hearing. Special Magistrate ordered an Administrative Fee of One Hundred Fifty (\$150.00) Dollars.

The property located at 1615 S. E. 19th Avenue, Lauderdale-By-The-Sea, Florida, corresponding to Folio #9307-01-0380, was brought into compliance, however, the Administrative Fee of One Hundred Fifty (\$150.00) Dollars is still owed. Final Order was mailed October 28, 2009 and a signed return receipt was not received. On March 3, 2010 Notice of Certification of Lien Intent was sent by Certified Mail for the hearing date March 17, 2010 and a signed return receipt was received. Respondent was not present.

Therefore, pursuant to Section 162.09, Florida Statutes, the Special Magistrate certifies as follows:

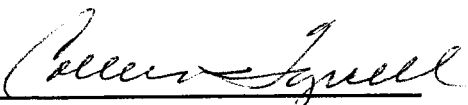
1. The Order of October 21, 2009 required the Respondent to pay an Administrative Fee of One Hundred Fifty (\$150.00) Dollars which was not paid in the specified timeframe.
2. The Respondent has continued to violate the Order of October 21, 2009 by not paying the Administrative Fee of One Hundred Fifty (\$150.00) Dollars. Therefore, the Special Magistrate imposes and certifies fines for the existing Administrative Fee of One Hundred Fifty (\$150.00) Dollars.
3. That this Certification, together with the original Final Order, be recorded in the Public Records of the Office of the Clerk of the Circuit Court in and for Broward County, Florida. Pursuant to Section 162.09, Florida Statutes, these documents, once recorded, shall constitute a lien against the land on

which the violation(s) exist, and upon any other real or personal property owned by Respondent.

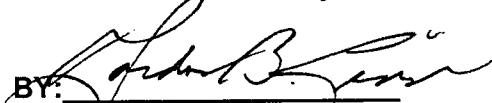
4. If any person desires to appeal, pursuant to Section 162.11, Florida Statutes, such person will need a record of the proceedings which includes the testimony and evidence upon which the appeal is based.

Certification of Lien ordered at Lauderdale-By-The-Sea this 16th day of September, 2009.

ATTEST:

BY: 
Colleen Tyrrell, Secretary for the Special Magistrate

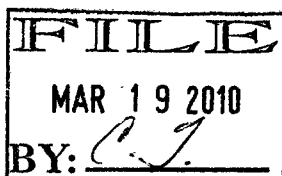
**Special Magistrate of the
Town of Lauderdale-By-The-Sea**

BY: 
Gordon B. Linn, Special Magistrate

() Personally known to me

Copied furnished to:

Naomi Eid
1615 SE 19th Avenue
Lauderdale-By-The-Sea, FL 33062



Sea Turtle Season

Code Enforcement Activity

March 2010

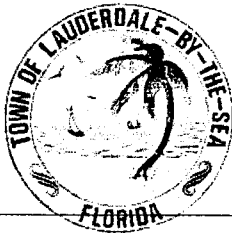
Sea Turtle Season 2010' Current Summary Report of Activities

- 12/03/2009 Mailed Workshop letter to all property owners along the beach.
(Attached Exhibit A)
- 01/06/2010 Hand delivered Workshop letters to all property owners along the beach as a reminder.
(Attached Exhibit A)
- 01/11/2010 Performed first initial inspection.
- 01/13/2010 Hand delivered a generic notice to all property owners along the beach that would be in violation of Town Ordinance come March 1st with a copy of the Town Ordinance and a brochure of FWC approved lighting fixtures.
(Attached Exhibit B)
- 02/08/2010 Performed 2nd inspection to ascertain whether or not any property owners have implemented measures to comply with Town Ordinance.
- 02/10/2010 Hand delivered letters which were specific to lights in violation on individual parcels from the 02/08/10 inspections.
(Attached Exhibit C)
- 02/10/2010 Hosted the Sea turtle workshop.
- 02/18/2010 Hand delivered flyers regarding interior lighting that each property owner along the beach could use, disseminate, or place on their front counters to educate code unit owners, tourists, and management companies.
(Attached Exhibit D)
- 02/23/2010 Met with FPL to survey streetlights that could possibly affect turtle nesting. Forty-eight (48) lights in all of which nine (9) are shielded, seven (7) are not visible from the beach, and 32 are turned off.
- 03/08/2010 Performed 3rd inspection. Notices of Violation were completed and issued that week.
- 04/05/2010 Performed 4th inspection.
Complied several cases from the March inspection. Two (2) cases from 2009' are scheduled for the Code Hearing on April 21, 2010.

Night meetings with condo owners:

- 2/16/2010 Cloisters 1420 Ocean Dr.
Leisure Towers 1500 Ocean Drive
- 2/17/2010 Sea Spray Inn 4245 El Mar Drive

	Coastal Arms 1410 Ocean Drive
2/24/2010	Winter Colony 4300 El Mar Drive
3/01/2010	Squire Condo 4629 El Mar Drive
	Tides Inn 4628 El Mar Drive
3/16/2010	Driftwood 4417 El Mar Drive
	Ocean Colony 1620 S Ocean Blvd
	Europa 1460 S Ocean Blvd
3/17/2010	Crane Crest 1850 S Ocean Blvd
3/22/2010	Ocean Place 1900 S Ocean
	Maluani Corps 1398 S Ocean Blvd.



Town of

LAUDERDALE-BY-THE-SEA

DEVELOPMENT SERVICES DIVISION

4501 Ocean Drive, Lauderdale-By-The-Sea, Florida 33308-3610
Telephone: (954) 776-3611 * Fax: (954) 776-3431

Date:

Via:

Re: Sea Turtle Lighting

Each year the Town conducts inspections along the beach for Sea Turtle lighting violations along with the Florida Wildlife Commission and Nova Southeastern University Oceanographic Center. These inspections are conducted during the months of March 1, through October 31, of each year. The inspections are conducted to identify lights/light sources not conducive to safe incubation and hatching of sea turtle nests.

All property owners are employed and required to implement measures not involving capital expenditures to control lighting in the direct line of sight of the beach. This not only includes exterior lighting, but also interior lighting.

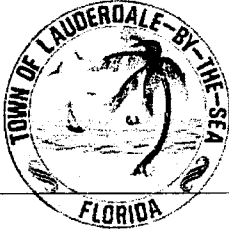
Broward County along with the FWC (Florida Wildlife Commission) will be conducting a workshop on February 10, 2010 from 1:00pm till 3:00pm. The intent of the workshop is to educate the public as well as property owners along the beach and to answer any questions you may have related to lighting. The workshop will be held at Jarvis Hall located at 4501 Ocean Dr.

It is encouraged that you attend as Sea Turtle season will upon us again soon. Thank you for your participation and cooperation in this effort and if you have any questions please contact Development Services at 954-776-3611.

Sincerely,

Jeff Bowman
Development Services Director

12/3/10 Mailed
1/6/10 Hand Del.



B

Town of Lauderdale-by-the-Sea

Development Services

4501 N. Ocean Drive

Lauderdale-by-the-Sea, FL 33308

Phone (954) 776-3611

Fax (954) 776-3431

Date:

Name

Address

Re: Sea Turtle Lighting

As you are aware, Sea Turtle nesting season is just around the corner. The season begins on March 1st of every year and ends October 31st. On this date, a courtesy beach lighting survey was conducted by our office which revealed that there is lighting on your property that would/could affect sea turtle nesting.

Attached for your convenience is a copy of Town Ordinance Chapter 30-313 (27). Please ensure that these lighting issues are addressed during the entire Sea Turtle season, March 1st thru October 31st. A re-inspection of your property will be conducted in February to ensure compliance with the lighting Ordinance. The most common lights found in violation include: up-lighting on trees, interior, walkway and spot or flood lights. Therefore, we have enclosed an approved lighting fixture brochure from FWC (Florida Wildlife Commission) to help assist you in identifying acceptable and unacceptable lighting. If you have any questions or concerns regarding the lighting requirements, please feel free to contact Kim Williams or Cary Tullos at (954) 776-3611.

Please be advised Broward County along with the FWC (Florida Wildlife Commission) will be conducting a workshop on February 10, 2010 from 1:00pm till 3:00pm. The intent of the workshop is to educate the public as well as property owners along the beach and to answer any questions you may have related to lighting. The workshop will be held at Jarvis Hall located at 4501 Ocean Dr.

Thank you for your participation in this effort.

Sincerely,

Code Compliance Officer

1/13/10 Hand Del.

FWC APPROVED SEA TURTLE LIGHTING

All exterior lighting for the entire project area including structural and landscape lighting must be reviewed and approved by FWC regardless of whether or not the area is seaward of the CCCL

ACCEPTABLE FIXTURES

All exterior fixtures on the seaward and the shore perpendicular sides of the building (and on the landward side of the building if they are visible from the beach) should be well shielded, full cut-off, downward directed type fixtures. All exterior fixtures on the landward side of the building should be downward directed only.

ACCEPTABLE LAMPS / BULBS AND OTHER LIGHT SOURCES

Long wave length lights, e.g. those that produce light that measures greater than 560 nanometers on a spectroscope, are necessary for all construction visible from and adjacent to marine turtle nesting beaches. Bright white light, such as metal halide, halogen, fluorescent, mercury vapor and incandescent lamps will not be approved. Filters are unreliable and not allowed. Limited use of shorter wavelength lights may be approved in areas where direct and indirect light or glow could not possibly be visible from the beach upon approval by FWC.

ACCEPTABLE LAMPS

- Low Pressure Sodium (LPS) 18w, 35w
- Red, orange or amber LED (true red, orange or amber diodes, NOT filters)
- True red neon
- Other lighting sources that produce light of 560 nm or longer

***** FWC approved lighting may be found at http://myfwc.com/WILDLIFEHABITATS/seaturtle_index.htm *****

STATEMENT ABOUT POOL LIGHTS ON LIGHTING PLAN

The plan shall reflect that the interior swimming pool and pool deck lights shall be turned off while the pool is closed during sea turtle nesting season (May 1 through October 31 in all counties except Brevard, Indian River, St. Lucie, Martin, Palm Beach and Broward counties where leatherback turtle nesting occurs during the period of March 1 through October 31). The use of an automatic timer is acceptable. This may be specified in the notes section on the drawing and should be included in the FDEP Permit Conditions. If the interior pool lights cannot be turned off at night because the pool deck is used at night, then interior pool lights shall be amber or red LED lamps.

STATEMENT ABOUT TURTLE GLASS ON LIGHTING PLAN

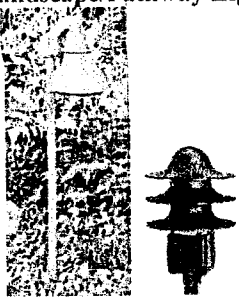
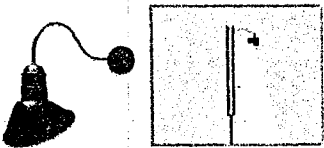
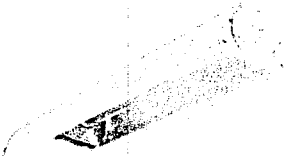
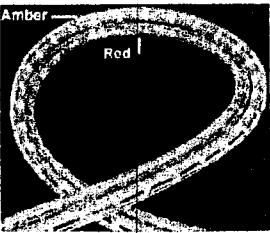
The plan shall reflect that tinted glass or film with a visible light transmittance value of forty-five (45) percent or less shall be applied to all windows and doors within line of sight of the beach. This includes the seaward and shore-perpendicular sides of the structure. This may be specified in the notes section on the Lighting Plan architectural drawing and should be included in the FDEP Permit Conditions.

TIMERS

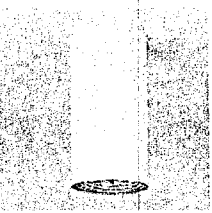
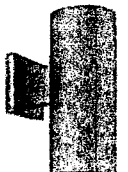
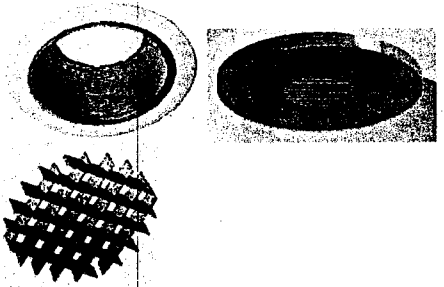
Timers may be used only for in-pool and pool deck lights when the pool is closed.

THE FOLLOWING ARE NOT ALLOWED

- Private balcony lights
- Up lights
- Tree strap downlights
- Decorative lighting, not necessary for human safety or security
- Pond lights
- Dune walkover lighting
- Fountain lights on beach or shore perpendicular side of structure

Landscape/Pathway Lighting 	Red/orange/amber LED	Ground mount Maximum height 12 inches	Ground Level, landscape	
Signage 	Red/orange/amber LED	Must be mounted with light directed <u>down</u> on to sign. NOT UP	Sign should be on landward side of structure when possible and mounted perpendicular to the beach.	
Garage Lighting (Phoenix) 	35w LPS Amber/Orange LED	Garage Ceiling	Garage	If a parking garage is not fully enclosed with solid walls, without windows, louvers, or screens so that the interior is not visible from any section of beach, only LPS or amber/orange LED lamps shall be used. Additional shields may be necessary if parking is above ground level.
Channel / Rope Lighting 	Red/orange/amber LED <u>NOT colored plastic tubing with white lights</u> <u>No White LED</u>	Must be mounted recessed under steps, bar, etc. and directed <u>down</u> to assure that light source or reflected light is not visible from beach	Pool deck, steps, pool bars.	

EXAMPLES OF TURTLE FRIENDLY FIXTURES

FIXTURE	LAMP & WATTAGE	MOUNTING TYPE & HEIGHT	LOCATION	COMMENTS and/or ADDITIONAL REQUIREMENT
Ceiling Mount Cylinder (with interior black baffles) 	Red/orange/amber LED	Ceiling Surface	if located on shore perpendicular or beach side of structure allow on <u>ground floor</u> only	Interior Black Baffles
Wall Mount Cylinder Down Light (with interior black baffles) 	Red/orange/amber LED	Wall Mount Downward Directed 8 ft from floor	If located on shore perpendicular or beach side of structure allow on <u>first habitable floor</u> only	Interior Black Baffles Hex cell louvers may be required to decrease wall wash
Recessed Ceiling Canister 	Red/orange/amber LED <u>The following short wavelength lamps may only be used for covered driveway entry on landward side of structures</u> <ul style="list-style-type: none"> • Halogen lamp • PAR spot lamps • LED lamps • HPS lamps • Comp Fluorescent 	Recessed Ceiling	If located on shore perpendicular or beach side of structure allow on <u>ground floor</u> only	Interior black baffles Hex cell (honeycomb) louver

Sec. 30-313. General provisions.

These general provisions, whether specifically alluded to in any of the above districts or not, shall govern the zoning of all districts within the corporate limits of the Town:

(27) Lighting. Where lighting facilities are provided for parking areas, they shall be designed and installed so as to reflect the light away from any contiguous residential zoned property. No lighting shall be installed, maintained or illuminated on public or private property that would directly illuminate the beach from sunset to sunup during the sea turtle nesting period from March 1 through October 31 of each year. Property owners are responsible for ensuring that all lighting along the beach is controlled so as not to illuminate the beach from sunset to sunup during this period.

Measures to be employed by property owners for the installation, maintenance and control of all lighting in a direct line of sight of the beach, including interior lights visible from the beach through windows, shall be consistent with the standards and guidelines contained in Chapter 62B-55 of the Florida Administrative Code and in Technical Report 97-06 of the Broward County Beach Lighting Management Plan, as amended from time to time. All site plans for new development and redevelopment along the beach shall be required to demonstrate that the proposed development or redevelopment will comply with this section by identifying the specific measures that will be employed to control lighting.

For existing development along the beach, property owners shall be required to immediately implement measures not involving any capital expenditures, such as switching-off exterior lights that illuminate the beach and closing existing draperies to shield interior lights during the turtle nesting period. By March 1, 2003, property owners shall implement all appropriate measures necessary to fully comply with this section.



C

Town of Lauderdale-by-the-Sea

Development Services

4501 N. Ocean Drive

Lauderdale-by-the-Sea, FL 33308

Phone (954) 776-3611

Fax (954) 776-3431

Date:

Address:

Re: Sea Turtle Lighting

As you are aware, Sea Turtle nesting season commences on March 1st. On this date, a beach lighting survey was conducted by our office, which revealed that there is lighting on your property that could affect sea turtle nesting.

The spotlight is in violation of Town Ordinance Chapter 30-313 (27). Please ensure that these light sources are changed or turned off during the entire Sea Turtle season, which is from March 1st thru October 31st. A re-inspection of your property will be conducted in thirty (30) days to ensure compliance.

A lighting fixtures brochure was previously sent to help assist you in identifying acceptable and unacceptable lighting. If you have any questions or concerns regarding the lighting requirements, please feel free to contact Kim Williams or Cary Tullos at (954) 776-3611.

Thank you for your participation in this effort.

Sincerely,

Kim Williams
Code Compliance Officer

2/10/10 Hand Del
&
mailed

①

Interior Lights can
Disorient Sea Turtles
Shield Your Interior
Lights in
3 easy steps!

Sea Turtle Nesting Season
March 1st 2010 thru November 1st
2010

Easy as 1, 2, 3...



Pull the blinds, Move a lamp and Flip a switch

Controlling interior lighting is easy for Sea Turtle Season
and has several benefits!

Pulling the blinds, moving lamps away from the windows and turning off lights when you leave a room will help protect your privacy and reduce sea turtle disorientations. Turning off lights when you leave a room not only saves money and electric but decreases what everyone can see in your home when the lights are on and it is dark outside. This will also preserve your view and the sea turtles view of the nighttime beach and sky! Ask yourself... Have you seen the moon and stars lately?

2/18/10 Hand W

Memo

Date: 03/30/2010

To: Esther Colon

CC: John Olinzock

Cc: Jeff Bowman

From: Don Prince, Director of Municipal Services

Re: Turtle Lights

I met with Josh Wright from FPL on 02/23/10 to survey and map the lights on the component list that are affected by Turtle Season. There are currently 48 lights. Nine are shielded, seven are blocked by buildings and 32 are tuned off.

Three different shields have been installed on the lights at El Prado and I'm waiting on a recommendation from FWC. Once a recommendation is made it will go before the Commission for approval at which time 14 additional lights will be turned on.

On the April 13th agenda there is a recommendation for five shields to be installed on El Mar. I have also contacted a vendor for a quote on a solar bollard that already has FWC approval.

Thank You

Don Prince



Lauderdale by the Sea Turtle Street lights 3/10/2010

Address	Location #	Disc	Comments
SE Cntr of ATA(Ocean Dr.) & Palm Ave at 4050 Palm Ave		X	
2 Palm Ave (Surf & Yacht Club)		X	
4100 EL Mar Dr	8-7984-3663-0-9		Turtle Shield installed- leave ON
EL Mar Dr -2nd PL N/O of Palm Ave.	8-7984-3664-0-6	X	
4144 EL Mar Dr.	8-7984-3667-0-8		Turtle Shield installed- Leave ON
4200 EL Mar Dr.	8-7984-3874-0-3	X	
Hibiscus Ave-1st PL N/O EL Mar Dr.on NS		X	
4220 EL Mar Dr.	8-7984-3775-0-6		Blocked BY Building - Leave ON
4228 EL Mar Dr.	8-7984-3882-0-5		Turtle Shield installed- Leave ON
4244 EL Mar Dr 1st PL S/O Datura	8-7984-3883-0-2		Blocked By BuildingLeave ON
4244 EL Mar Dr 2nd PL S/O Datura	8-7984-3883-0-2	X	
4300 EL Mar DR.	8-7984-4089-0-7		Turtle Shield installed - Leave ON
Comm'l BLvd. & EL Mar Dr., Eastside	8-7985-4203-0-7	X	
101 Commercial Blvd -East (Median)	8-7985-3903-0-1	X	Double street light
4412 EL Mar Dr.	8-7985-4208-0-3		Turtle Shield Installed - Leave ON
4406 EL Mar Dr., 1st PL N/O Comm'l Blvd		X	
4424 EL Mar Dr.	8-7985-4213-0-0		Turtle Shield Installed -Leave ON

4520 EL Mar Dr.	8-7985-4428-1-5	X	
1st PL N/O 4520 EL Mar Dr.	8-7985-4224-0-7		Turtle Shield installed- Leave ON
4536/4540 EL Mar Dr	8-7985-4326-1-5	X	
4546 EL Mar Dr	8-7985-4231-0-1		Turtle Shield Installed - Leave ON
4550 EL Mar Dr.	8-7985-4333-0-1	X	
4564 EL Mar Dr	8-7985-4335-0-1	X	
4608 EL Mar Dr.	8-7985-4345-0-6		Turtle Shield Installed- Leave ON
4628 EL Mar Dr.	8-7985-4444-0-1	X	
4636 EL Mar Dr.	8-7985-4448-0-1		Leave ON
4644 EL Mar Dr	8-7985-4451-0-5	X	
10 Pine Ave	8-7985-4757-0-5	X	
200 Pine Ave	8-7985-3853-0-1	X	
111 Datura Ave	8-7984-3687-0-1	X	
V/O 4525 EL Mar Dr Decorative St. Lts	NO TLN Tag on Poles		Street light poles identified by letters
El Mar Dr 4 PL N/O 4525 Pking lot	Pole A	X	
El Mar Dr 3 PL N/O 4525 Pking lot	Pole B	X	
El Mar Dr 2PL N/O 4525 Pking lot	Pole C	X	
El Mar Dr 1 PL N/O 4525 Pking lot	Pole D		Leave ON
4525 Pking lot , 1st PL W/O EL Mar Dr	Pole E	X	

4525 Pking lot , 2nd PL W/O EL Mar Dr	Pole F	X	
4525 Pking lot , 3rd PL W/O EL Mar Dr	Pole G	X	
4525 Pking lot center, 3rd PLW/O EL Mar Dr	Pole H	X	
4525 Pking lot center, 2nd PL W/O EL Mar Dr	Pole I	X	
4525 Pking lotcenter, 1st PL W/O EL Mar Dr	Pole J		Leave ON
EL Mar Dr, 1st PL S/O PL "D"	Pole K		Leave ON
4525 Pking lot, 1st PL S/O PL "H"	Pole L	X	
4526 Pking lot, 2nd PL S/O PL "I"	Pole M	X	
4527 Pking lot, 3rd PL S/O PL "J"	Pole N	X	
4528 Pking lot, 4th PL S/O PL "J"	Pole O		Leave ON
EL Mar Dr 1st PL S/O PL "K"	Pole P		Leave ON
EL Mar Dr 2nd PL S/O PL "K"	Pole Q		Leave ON
EL Mar Dr 3rd PL S/O PL "K"	Pole R		Leave ON

Town of Lauderdale-by-the-Sea

OFFICE OF THE TOWN MANAGER

Memorandum

Date: April 08, 2010
To: Mayor Roseann Minnet
From: Esther Colon, Town Manager *Colon*
Subject: Survey and Turtle Light Inspections

The survey was completed as requested on 3/31/2010 although it was due 2/12/2010. Selly was contacted and informed us she will try to get ours added.

In addition to the Sea Turtle Workshop, the following has occurred as of 4/5/2010:

- 2 Notice of Hearings scheduled for Code Hearing 21 April 2010
 - 1600 S Ocean Blvd - Aquazul
 - 6200 N Ocean Blvd - Sea Watch Restaurant
- 62 Workshop letters mailed
- 58 workshop letters hand delivered
- 58 first reminder letters hand delivered
- 67 - 2nd reminder letter hand delivered and mailed
- 41 interior condo lighting flyers hand delivered

Of the 46 Notice of violations (NOV) issued 38 have complied. The other 8 will be contacted again and NOV's issued if required. As soon as the Florida Wildlife Commission submits their report thru Nova University it will be placed on the Development Services monthly report.

Respectively submitted.

EC

cc:

Vice Mayor Stuart Dodd
Commissioner Birute Clotey
Commissioner Scot Sasser
Commissioner Chris Vincent
John Olinzock, Assistant Town Manager
June White, Town Clerk

Mayor Minnet Memo

Lighting Compliance Survey

NSU and BCNRPMD

March 2010



Memorandum

To: Lou Fisher, Broward Co. Environmental Protection Department

From: Curtis Burney, Nova Southeastern University

Date: March 25, 2010

Subject: Lauderdale-by-the-Sea Lighting Survey – March 2010

The lighting compliance survey of Lauderdale-by-the-Sea was conducted on Thursday, March 25, 2010 at 11:30 PM. This survey was conducted by Laura Wright and Nina Thompson from NSU and Joe Ligas from the BCNRPMMD.

Light was visible on the beach from the following sources:

R40-R41

- Malulani Corps (1398 S Ocean Blvd) – landscape, ceiling mounted, spot, & interior

R41-R42

- Sea Colony (1400 S Ocean Blvd) – up lighting, wall mounted, spot, & interior
- Coastal Arms (1410 S Ocean Blvd) – interior
- The Cloisters (1420 S Ocean Blvd) – interior
- Cristelle Cay Apts (1430 S Ocean Blvd) – interior
- Palm Club (1438 S Ocean Blvd) – red spot
- Corniche (1440 S Ocean Blvd) – carriage, ceiling mounted, & interior

R42-R43

- Europa by-the-Sea (1460 S Ocean Blvd) – wall mounted & posted interior
- El Dorado (1470 S Ocean Blvd) – ceiling mounted, 1.5' bollards, & interior
- The International (1480 S Ocean Blvd) – wall mounted, globes, & interior
- Leisure Towers (1500 S Ocean Blvd) – wall mounted, spots, stairwell, posted, & interior
- Ocean East (1530 S Ocean Blvd) – up lighting, landscape, ceiling mounted, & interior

R43-R44

- Cobra head streetlights on W side of S. Ocean Blvd. (visible from beach at Aquazul 1600 S Ocean Blvd)
- Aquazul (1600 S Ocean Blvd) – parking area posted lights, parking garage, & interior
- Ocean Colony (1620 S Ocean Blvd) – red spots, wall mounted, & interior
- Cristelle (1700 S Ocean Blvd) – red floods, fountain, landscape, & interior
- Jade Beach East (1750 S Ocean Blvd) – ceiling mounted, stairwell, & interior
- Ocean Sounds (1770 S Ocean Blvd) – ceiling mounted & interior

R44-R45

- Hampton Beach Club (1800 S Ocean Blvd) - interior
- Crane Crest (1850 S Ocean Blvd) – wall mounted, ceiling mounted, & interior
- Ocean Place (1900 S Ocean Blvd) – wall mounted fluorescent, ceiling mounted, & interior stairwell
- Native Sun (1950 S Ocean Blvd) – posted globes, ceiling mounted, & interior
- Royal Coast (2000 S Ocean Blvd) – posted globes & interior

R45-R46

- Sea Watch Restaurant (6002 N Ocean Blvd) – landscape, up lighting, posted walkway, & interior
- Starlight Towers (6000 N Ocean Blvd) – stairwell, walkway lighting, & interior
- Atlantic Beach Villas (5450 N Ocean Blvd) - interior

R46-R47

- Sea Ranch Villas (5400 N Ocean Blvd) – interior
- Sea Ranch Club North (5200 N Ocean Blvd) – ceiling mounted, wall mounted, spots, & interior

R47-R48

- Sea Ranch Lakes A (5100 N Ocean Blvd) – stairway, spots, & interior
- Sea Ranch Lakes B (5000 N Ocean Blvd) – wall mounted & interior
- Sea Ranch Lakes C (4900 N Ocean Blvd) – tennis court area, wall mounted, & interior

R48-R49

- Lauderdale Beachside Hotel (4660 N Ocean Dr) -- interior
- Damon's Restaurant (4644 El Mar Dr) – ceiling mounted & interior
- Tabu Resort (4640 El Mar Dr) – interior



- The Residence (4636 El Mar) – parking garage & interior
- Tides Inn (4628 El Mar) – pool area, white x-mas, up lighting, ceiling mounted, & spots
- Tropic Seas Resort Motel (4616 El Mar) - wall mounted, ceiling mounted, up lighting, & pool area
- Tropic Ranch (4560 El Mar Dr) – wall mounted & interior

R49-R50

- A Little Inn by the Sea (4550-4546 El Mar Dr) – ceiling mounted, up lighting, & interior
- Leisure Mar Club (4536 El Mar Dr) – ceiling mounted spots
- Souters Resort (4520 El Mar) – ceiling mounted canisters & interior
- 4512 El Mar Dr -- multiple cobra heads behind empty lot on El Mar Dr
- Meeting Room or Rec Room (4500 Block) - 4 cobra head street lights & interior
- 4456 El Mar Dr – 3' bollards, parking garage, ceiling mounted, & fluorescents
- 4448 El Mar Dr -- 3' bollards, parking garage, ceiling mounted, & fluorescents
- 4436 El Mar Dr -- 3' bollards, parking garage, ceiling mounted, & fluorescents

R50-R51

- High Noon Resort (4424 El Mar Dr) – ceiling mounted, spots, red & white up lighting, & interior
- Driftwood Beach Club Rec Area – wall mounted, ceiling mounted, & white spots
- High Noon Beach Hotel (4416 El Mar Dr) – wall mounted, ceiling mounted, & white spots
- Sea Foam (4408 El Mar Dr) – spots & wall mounted carriage
- Aruba Beach Cafe (1 Commercial Blvd) – wall mounted floods & interior
- Commercial Pier – signage, ceiling mounted, & white & green lighting along pier & at surface of water
- Commercial Blvd. - 1 posted city light at E end of parking lot

R51-R52

- 4316-4344 El Mar Dr – wall mounted, posted, & interior
- Courtyard Villas (4312 El Mar Dr) – wall mounted
- Ocean Treasure (4308 El Mar) – ceiling mounted & interior
- 4300 El Mar Dr -- interior
- Windjammer (4244 El Mar Dr) -- ceiling mounted, wall mounted, carriage, & canisters
- 4228 El Mar Dr – wall mounted, parking garage, & interior
- Costa del Sol (4220 El Mar Dr) – parking area wall mounted, up lighting, & interior
- Sea Villa (4200 El Mar Dr) – interior

R52-R53

- Parkhill (4144 El Mar Dr) – wall mounted & interior
- Sea Lord (4140 El Mar Dr) – wall mounted, up lighting, & interior
- Hotel W of 4112 El Mar Dr – ceiling mounted balcony
- Villa Caprice (4110-4108 El Mar Dr) – spots, wall mounted, pool area, & interior
- Palm Ave - 2 cobra head street lights
- Caribe Surf and Yacht Club (4050 El Mar) – ceiling mounted, walkway, up lighting, & parking area pool area posted carriage
- Fountainhead (3900 Galt Ocean Dr) – landscape, wall mounted, interior boiler room, & pool area posted acorns